XIV
45

THE INDIAN ARMS ACT MANUAL

BENGAL SECRETARIAT LIBRARY

CONTAINING

THE INDIAN ARMS ACT, XI OF 1878, THE INDIAN ARMS RULES, 1909,

WITH

NOTES AND RULINGS OF THE HIGH COURTS AND CHIEF COURT, PUNJAB;

Rules and Orders of the Government of India and of Local Governments,

AND

Appendices—I to IV.

COMPILED BY
G. K. ROY,
Home Department
Government of India.

ALL RIGHTS RESERVED.

THE CITY BOOK SOCIETY,
64, *College Street*,
CALCUTTA.

Price Rs. 5 As. 4.

The Punjab Printing Works, Lahore

CONTENTS

	PAGE.
I—The Indian Arms Act, 1878.	1
II—Home Department Resolution, No 3052-3101, dated the 16th August 1909.	36
III—Home Department Notification, No. 3102, dated the 16th August 1909.	37
IV—The Indian Arms Rules, 1909.	37
V—Home Department Notification. No 3103, dated the 16th August 1909.	161

APPENDICES.

I—Local Rules and Orders.—Madras	1
Bombay	3
Bengal	3
United Provinces	9
Punjab	30
II—Rules for the acquisition, possession and sale of rifles. ...	37
III—Rules and orders relating to the refund of duty on arms, ammunition and military stores.	40
IV—Home Department Resolution, No. 1458-83, dated the 27th September 1895.	48
Home Department Letter, No. 3477, dated the 31st December 1900.	49
Extracts from the Army Regulations relating to the grant of Shooting Passes.	51

INDEX

A.

	PAGE.
Abkari Pier at Tawahi. Landing of arms, &c, at—in Aden ...	45
Aden. Assistant Resident of—to exercise powers of a Magistrate in respect of grant of licenses	40
Agents of Native States. Exemption of—	79
Ahmad Hussain *versus* Queen Empress	25
Air-guns. Exemption of certain kinds of—	109
Ajmer Merwara. Exclusion of—	111
Export of arms &c., from—	52
Importation of arms into—	41,47 49
Possession of arms &c, in—	62
Transport of arms &c., in—	57
Amb. Exclusion of the jagir of the Nawab of—	113
Americans. Exemption of—	80,100
Ammunition. Definition of—	5
Empty cartridge cases classed as—	6
Fuzes do	5
Importation of—	44,45,46
Instruments for capping cartridge cases for M. H. rifle, excluded	6
Licenses for the sale of——and cartridges for rifles of prohibited bores	60,62,64
Licenses to import—and rifles of prohibited bores ...	41
Percussion caps included in the definition of— ...	5
Angelo. Withdrawal of the exemption of Mr. T.—	102
Angul. Exclusion of swords in the——District	106
Applications for, and grant of licenses	68,69
of Native Chiefs for grant of licenses exempted from fees	73
Arrakan Hill Tracts. Exclusion of spears in the—	107
Arcot. Prince of—Exemption of the—	85
Armed guards in the N. W F. P. and Punjab. Exemption of— ...	89
Arms, ammunition and military stores excluded	104,110
Arms. Bayonets treated as—	5
Chavis treated as—	7,9
Confiscation of—	29
Conversion, manufacture and sale of—	10,60
Definition of—	5
Disposal of confiscated or forfeited—See Appendix I.—Local Rules and Orders	
Exports of—ammunition and military stores	49
Gandasas treated as—	7,9
Guns rendered unserviceable by loss of broken trigger classed as—	5
Gun barrels and nipples in serviceable condition classed as—	6
Importation of—ammunition and military stores ...	41
Match-lock converted into a percussion gun classed as— ...	11

A—*Concluded.*

PAGE.

Arms. Manufacture, conversion and sale of— 10,60
Ornamental—of obsolete patterns excluded 104
Possession and going armed 63
Possession of—ammunition and military stores ... 62,63
Revolver with a broken trigger classed as— 5
Sword-hilts included in the definition of— 6
Sword-sticks included in the definition of— 6
Table knife excluded from the definition of— 6
of which, possession has become unlawful, to be deposited at police stations 20
Army. Officers of—. Exemption of— 75,76,86
Swords imported for—or Volunteer prizes excluded ... 104
Arrest of persons conveying arms under suspicious circumstances 15
Arrows. Bows and—Exemption of— 104
Arsenals. British —Exports from— 55
Assam, E. B and—Exemption of kukris, swords, daggers, spears, hunting knives and daos in— 108
Assistant Engineers. —Officers of and above the rank of—. Exemption of— 77

B.

Backergunge. Disarmament of— 22
Bahawalpur. Certain lands in—occupied by Railways exempted ... 111,112
Baloches. Exemption of—in respect of certain arms 88
Balrampur. Retainers of the Raja of—Exemption of— ... 85
Bannu excluded in respect of certain arms 113
Baroda. Licenses to transport in— 57
Nobles and high officials of.—Exemption of— ... 83
Subjects of—State Exemption of—... 82
Barrels, Gun—.Treated as arms 6
Bayonets included in the definition of arms 5
Behares, Retainers of the Maharaja of—Exemption of— ... 84
Bengal—See Appendix I.—Local Rules and Orders. ...
List of officials exempted in— 96
List of places in—in which certain articles are exempted ... 107
Zamindars in—Exemption of— 83
Bhavnagar State Imperial Service Lancers. Exemption of certain members of— 86
Bindraban and Rajbansi. Exemption of—in respect of sword ... 85
Bird-shot and bullets in certain quantities.—Exemption of— ... 105
Bishan Singh, Queen Empress *versus* 27
Blasting materials. Possession and transport of.— 67, 68
Bodappa, Queen Empress *versus* 11
Bombay. See Appendix I, Local Rules and Orders ... ...
Exemption of spears, hunting knives and *katyars* in the —Presidency 106
Officers empowered to grant licenses in the—Presidency ... 115,117
Persons exempted in the—Presidency 83
Boonda or iron pellets classed as ammunition 6
Bows and arrows defined as arms 5
excluded from the definition of arms ... 104
Bullets. Bird shot and—Exemption of— 105

B—*Concluded.* PAGE.

Breach of sections 5, 6, 10, 13 and 17. Penalties for— ... 22
secret—of sections 5, 6, 10, 14 and 15 28
of license 28
of rules 29
Breech-loading arms and ammunition—Licenses for the manufacture and sale of— 60
Licenses to import, export and possess— ... 68
British Officers Exemption of—in respect of 303 rifles— ... 86
Bundelkhand. Subjects of Jagirs or States in—Agency. Exemption of— 82
Burma.—Officers exempted in— 99
Articles exempted in— 106,107

C.

Cancellation and suspension of licenses 21
Cannon. Definition of— 5
Licenses to import, export, transport and possess— 41, 49, 56, 62
Toy—Exemption of— 104,105
Caps. Detonating—Possession of— 67
Percussion—classed as ammunition 5
Carriers Railway or public—bound to give information of offences 32
Cartridge Empty—cases treated as ammunition. 6
Wire—,excluded 105
Census of fire-arms. Power to take— 34
Central Provinces. Exclusion of spears and hunting knives in— 108
Exemption of Zamindars of the Scheduled Districts in the— 83
List of officers exempted in— 99
Certificates. Holders of—granted on 1st January 1877, exemption of— 75
Chavis and Gandasas Treatment of— 7
Chief Court Rulings. See Rulings ... ...
Chittagong Hill Tracts. Exclusion of—from certain restrictions ... 111
Civil Courts. Persons exempted from personal attendance at—Exemption of—75
Clarke. *versus* Brojendra Kishore Rai Chaudhari 30
Close season. See Appendix I. Local Rules and Orders Punjab—
Collection and refund of fees 74
Concealing arms. Penalty for— 28
Confiscate. Power to—arms 29
Disposal of confiscated arms. See Appendix I.—Local Rules and Orders Bengal. ... ...
Confiscation of arms—on conviction of an offender 29
Consuls and consular agents Exemption of— 79
Consent or previous sanction in certain cases 68
Contractors. Possession and transport of blasting material by cultivators and— 67, 68
Control of officers acting under the rules 71
Conversion of arms 10
Coorg. Jumma tenure holders in—Exemption of— 82,102
Members of Mercara Municipal Committee. Exemption of— 102
Councils. Members of Legislative—Exemption of— 76, 77
Court Fees Act. Remission and fees under the— 161
Criminal Intelligence Department. Officers of—Exemption of— ... 76
Report of losses of arms to be made to— 92
Cultivators. Possession and transport of certain blasting materials by—and contractors 67
Customs Duty. See Appendix III.

D

PAGE.

Daggers, Swords and—excluded in Eastern Bengal and Assam ... 108
Dahs in Burma. Exemption of— 107
Daos in Bengal. Exemption of— 106
Dekkhan and Southern Mahratta Country Sardars in the Bombay Presidency 83
Definitions of Ammunition 5
Arms 5
Cannon 5
East Indians and Eurasians 101
Lawfully entitled to possess 13
License 5
Military stores 5
Transport 11
Dehra Dun. Kukris in the—District, Exemption of— ... 107
Dera Ghazi Khan. Exemption of—in respect of certain arms and ammunition 112,113
Dera Ismail Khan. Exemption of——in respect of certain arms and ammunition 113
Detain. Officers empowered to—arms and ammunition ... 13
Dighwars. Exemption of— 82
Dirks. Uniform swords and—Exemption of-- 104
Disarm. Officers empowered to--under sec. 13 of the Act ... 15
Discretion and control of authorities empowered to grant licenses 71
Duplicate. Fees payable for—licenses 74
Duration and renewal of licenses 71
Duty. Customs—on arms, ammunition and military stores. See Appendix III .. ..

E

Earle. Withdrawal of the exemption of Mr. F. 102
Eastern Bengal and Assam. Exemption of Zamindars in— ... 83
East Indians Definition of— 101
Exemption of— 80
Ebrahim Alibhoy, *versus* Imperator 6
Empty cartridge cases classed as ammunition 6
Enactments repealed 4
Eurasians. Exemption of— 80, 101
Europeans. Exemption of— 80
Excise Department Officers. Exemption of— 77, 96
Exempted. Facilities to be given to—persons 89
Exemption of Agents of Native States 79
Americans 80
Armed guards in the N. W. F. P. and Punjab 89
Armenians 80
Baloches, in respect of certain arms 88
Baroda State. Subjects of— 82
Baroda State Nobles and high officials of— ... 83
Bhawanagar State Imperial Service Lancers. Certain members of— 86
Bindraban and Rajbansi— 85
British officers in respect of ·303 rifles ... 86
Bundelkhand Agency Subjects of any state or jagir in— 82
Burma Holders of fire-arms presented by Government in---

E - *Continued.*

PAGE.

Exemption of Chiefs in Burma 82
Chiefs, Princes or Ruling— 81
Consular Agents. Consuls and— 79
Coorg, Jumma tenure holders in— 82
Coorg race. Persons of— 82
Criminal Intelligence Department officers ... 76
Deb Shamsher Jang, Rana Bahadur, Maharaja ... 79
Dekkhan and Southern Mahratta Country Sardars 83
Deputy Collectors 77
Dighwars 82
Diwan and Private Secretary to the Maharaja of Idar 79
East Indians 80,101
Eurasians 80,101
Europeans 80
Excise Department officers 77, 96
Families of Princes or Chiefs 81
Forest Department Officers 77, 96
Geological Survey Department Subordinate Officials 79
Ghatwals 82
Gurkha Officers, pensioned 78
Heads of Villages 82
High Officials of Princes or Chiefs 88
Holders of certificates granted on the occassion of the assumption of the title Empress by the late Queen 75
Holders of fire-arms presented in Burma ... 82
Holders of the Kaisar-i Hind Medal 75
Holders of swords presented in Darbars ... 75
Holders of titles 75
Hyderabad State. Nobles and large jagirdars of - 84
Imperial Service Troops officers 76,78
Indore State Subjects of— 82
Jagirdars of Punjab 83
Jail Department officers 77,96
Justices of the Peace 77
Khadga Shamsher Jang, Rana Bahadur, General . 80
Land holders 81
Legislative Councils. Member of-- 75
Magistrates 77
Maharajas 75
Mahant of Tirupathi—and his retainers ... 83
Malikhana holders in Malabar 82
Medical Officers 77
Mehwasi Chiefs 83
Members of Legislative Councils 75
of Municipal Boards of Committees ... 81
of any Order or Knighthood 75
Military Hospital Assistants 100
Military Officers and soldiers ... 76, 78, 90 & App. II
Municipal Boards or Committees, Members of— ... 81
Munsifs 77
Myooks in Burma 77

E—*Continued*

Exemption of Nawabs 75
Nobles and high officials of Baroda state ... 83
" " in Hyderabad state ... 84
Non-Commissioned officers... 76,96
Officers of the Imperial Service Troops ... 76,78,96
Judicial service 77
Naval Forces 76
Opium Department officers 77, 96
Paigah Nobles and larger Jagirdars of the Hyderabad State 84
Pensioned officers 76,78,90
Persons exempted from personal appearance in the Civil Courts 75
Police Department Officers... ... ... 76, 96
Postal Officers 77, 96
runners in frontier or wild districts ... 78
Princes or Chiefs 81
Public Works Department Officers 77
Rajahs, ... 75
Rajbansi and Bindraban 85
Retainers of Kunwar Rukmangad Singh of Katiari 85
" Maharaja of Kapurthala 77
" Maharaja Sir Bhagwati Pershad Singh, G. C. I. E, of Babrampur ... 85
" Maharaja Sir Prabhu Narayan Singh, G. C I. E, of Benares ... 84
" Maharani Jagdamba Debi of Ajudhya 85
" the Prince of Arcot 85
" Raja Balwant Singh, C. I. E., of Awa ... 85
" Raja Mahendra Man Singh of Bhadawar 84
" Raja Kishen Kumar of Sahaspur Bilari 85
" Raja Raghoji Rao of Deor ... 85
" Raja Ram Partab Singh of Manda ... 85
" Raja Ram Singh, C I E, of Rampura... 84
" Raja Rup Sah of Jagmanpur ... 84
" Raja Sardar Singh Bahadur of Katehra 84
" Raja Udai Partab Singh, C S. I., of Bhinga 85
" Shahzada Basdeo 85
Retired Officers of Indian Forces 78
Revenue officials in frontier or wild districts ... 78
Rural police officers 82
Sailors 76
Salt Department Officers 77,96
Sardars and Jagirdars of Punjab 83
" Dekkhan and Southern Mahratta Country— 83
Shamsher Jang. Deb. Maharaja, Rana Bahadur ... 79
Shamsher Jang, Khadga, General, Rana Bahadur ... 80
Shan Sawbwas and Chiefs in Burma 83
Soldiers, native 76,90
Subjects of Baroda State 82
Indore State 82
Jagirs or States in Bundelkhand ... 82

E—*Concluded*

PAGE.

Exemption of Talpur family 83
Telegraph Department Officers 77, 96
Vakils of Native States 79
Villages, Heads of— ... . 82 ,103
Villagers in the N. W. F. P. and Punjab ... 89
Volunteers— 76,86,95
Warrant Officers 86
Zamindars of Bengal and E. B & Assam ... 83
Zamindars of the Scheduled Districts in the Central Provinces 83
Zamindars and Poligars in the Madras Presidency 83
Exemption, exclusion and withdrawal 40
Export by sea of cannon and certain rifles 49
by sea of arms, ammunition or military stores from and to certain ports 49
by sea of arms, ammunition or military stores from certain ports in Native States or foreign territory ... 50
by land or river of arms, ammunition or military stores to Native States or out of Ajmer-Merwara ... 52
Delivery of—licenses 54

F.

Families of Princes or Chiefs, Exemption of – 81
Fazal Allah of Tata, Kazi, Withdrawal of the exemption of— ... 90
Fees. Applications of Native Chiefs for licenses, exempted from— 73
" Payable for licenses 72
Payable for duplicates 74
Collection and refund of— 74
Forest Department Officers.—Exemption of-- 77,96
Form and language of licenses 70
Forms See License ... ...
French Settlements. Searching posts to be established between British India and— 40
French Subjects, and Military and Police Officers. See Appendix I—Local Rules and Orders. Madras
Friction tubes defined as ammunition 5
Fulminating materials defined as ammunition 5
Fuses defined as ammunition 5

G.

Game. Close Season for—See Appendix I.—Local Rules and Orders, Punjab.
Gandasas classed as arms 7
Ganga Din *versus* Queen Empress 24
Geological Survey. Subordinate Officials of the—Exemption of— ... 79
Ghatwals. Exemption of— 82
Going armed on a journey 65
Government arms, ammunition or military stores exported, imported, transported or possessed by orders of— ... 1
Gun-cotton defined as ammunition 5
Gun-wads and wire-cartridges Exemption of-- 105
Gurkha pensioned officers, non-commissioned officers and soldiers exempted in respect of Kukris 78

H.

PAGE.

Harpal Rai, *versus* Emperor 26
Heads of villages Exemption of— 82,103
High Court Ruling ... see Rulings ... ...
High officials of Princes or Chiefs.— Exemption of— 81
Hilts. Sword—classed as arms 6
Hunting—knives and spears exempted in the C. P ... ...
Hyderabad. Nobles, and high officials in—Exemption of— ... 84

I

Idar Diwan and Private Secretary of the Maharaja of—Exemption of— 79
Imperial Service Troops. Exemption of the members of— ... 76,78
Import of arms, ammunition and military stores by sea from Madras, Rangoon or Bombay 45
by land or river of arms, ammunition or military stores otherwise than into Ajmer-Marwara 46
of arms, ammunition or military stores into Ajmer-Merwara 47
and export of arms for private use 12
Indore State. Subjects of—Exemption of— 82
Information to be given regarding offences 32
Inspection ... ... See Appendix I—Local Rules and Orders.
Interpretation clause 5, 39
Iron droppings or pellets classed as ammunition 6

J.

Jagirdars. Exemption of Sardars and—of Punjab 83
Jail Department Officers Exemption of— 77,96
Jamal Khan *versus* The Empress 6
Jayaram Reddy *versus* Queen 6
Journey Licenses. See Going armed on a journey. ... ...
Justices of the Peace. Exemption of - 77
Judicial officers. Exemption of— 77

K.

Kalinath Singh. In the matter of the petition of— 24
Kapurthala Exemption of the retainers of the Maharaja of— ... 84
Katyars used in Mahratta marriage processions Exemption of— ... 106
Kesar Singh *versus* the Empress 9
Khasim, *versus* Queen Empress 23
Kishunwa *versus* Queen 23
Knives. Hunting Exemption of— 108
Table—not classed as arms 6
Kukris. Exemption of—in certain Districts 106,107,108
Kumaon Division. Exemption of Kukris in— 107

L.

Land-holders. Exemption of— 81
Language Form and—of licenses— 70
Lawfully entitled to possess. Definition of— ... 13 and Appendix III
Luke Queen Empress *versus* 25

L—*Continued.*

PAGE.

License
Form I—License for the import, transport and possession of cannon, articles designed for torpedo service, war-rockets or machinery for the manufacture of arms or ammunition 124
" II—License for the import of arms, ammunition or military stores into certain ports 126
" III—License for the import of arms, ammunition or military stores by land or river, otherwise than into Amjer-Merwara 128
" IV—License for the import of arms, ammunition or military stores into Ajmer-Merwara... ... 130
" V—License for the export by sea of arms, ammunition or military stores from and to certain ports ... 131
" VI—License for the export by sea of arms (other than cannon or rifles falling within the restriction imposed by rule 15), ammunition or military stores from certain ports to ports in Native States or foreign territory 132
" VII—License for the export by land or river of arms, ammunition, or military stores to native States or out of Ajmer-Merwara 133
" VIII—License for the transport of arms, ammunition or military stores 134
" IX—License for the possession and transport of gunpowder, fuses, dynamite, blasting gelatine and detonating caps required in good faith for blasting purposes 135
" X—General license to transport blasting material, applicable only to dealers in explosives, contractors and mining-agents 137
" XI—License to manufacture, convert, sell or keep and sell arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles) 139
" XII—License to keep and sell arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.) ... 143
" XIII—License to manufacture, convert, sell, or keep and sell breech-loading rifles, rifle ammunition or military stores for rifles 145
" XIV—License to keep and sell breech-loading rifles, rifle ammunition or military stores for rifles. ... 148
" XV—License for the possession of fire-arms, ammunition or military stores 150
" XVI—License for the possession of arms and ammunition and for going armed for the purpose of sport, protection or display 152
" XVII—License for the possession of arms and ammunition and for going armed, for the destruction of wild animals which do injury to human beings or cattle 155

L—*Concluded.*

PAGE.

License
Form XVIII—License for the possession of arms and ammunition and for going armed, for the destruction of wild animals, doing injury to crops, or cattle ... 157
" XIX—License for going armed on a journey in or through any province 159
Local Rules and Orders—See Appendix I ... ...

M.

Madras Presidency. See Appendix I—Local Rules and Orders.
Articles exempted in the—Presidency ... 106
Officers exempted in the—Presidency ... 96
Officers empowered to grant licenses in the—... 115,117
Persons exempted in the—Presidency ... 82,83
Places exempted in the—Presidency ... 111
Magistrates Exemption of— 77
Maharajas. Exemption of— 75
Maharatta marriage processions. Katyars used in—exempted ... 106
Malikhana holders in the Malabar District. Exemption of— ... 82
Manufacture, conversion and sale and keeping for sale of arms, ammunition or military stores 60
Marine officers. Exemption of— 76
Masonic swords. Exemption of— 104
Martini Henry Rifles See Appendix II. ... ...
Matchlock Conversion of a—into a percussion gun 11
Match-shooting Importation of 303 rifles for— 86
Medical Officers. Exemption of— 77
Mehwasi Chiefs. Exemption of— 83
Members of any Knighthood or Order. Exemption of—... ... 75
Legislative Councils Exemption of—... ... 75
Muncipal Boards or Committees. Exemption of— ... 81
Military Officers. Exemption of— 76
Stores. Definition of 5
Mirzapur district. Exemption of certain parts of— 111
Moyapore declared to be a warehouse for the deposit of arms ... 14
Munsifs. Exemption of— 77
Myooks. Exemption of— 77

N.

Narain Singh *versus* Empress 27
Native army. Officers and soldiers of—Exemption of— ... 91
Native Chiefs in Burma Exemption of— 83
Native soldiers. Possession of arms by— 76,78,90
Naval Officers, Exemption of—... 76
Nawabs. Exemption of— 75
Nga Kya Nyo *versus* Crown 6
Non-Commissioned Officers. Exemption of— 76,78,86,90
Notice and limitation of proceedings 34
Nizam Din and Nur Din *versus* the Empress 6
Nur Din and Nizam Din *versus* the Empress 6

O.

PAGE.

Obligation to produce licenses 23,71
Offences. Information must be given regarding 32
Officers empowered to grant licenses for export to ports in Native States or to Foreign Territory 115
Officers empowered to grant licenses for export to any place beyond the frontier of British India 117
Operation of other laws not barred 33
Opium Department Officers. Exemption of— 77,96
Ornamental arms of obsolete pattern. Exemption of— 104

P.

Particulars to be stated in applications for licenses 69
Parts of British India withdrawn 111
Pellets or *boondas*, classed as ammunition 6
Penalty for breach of rules 29
" for breach of sections 5, 6, 10, 13 to 17 ... 22
" for secret breach of section 5, 6, 10, 11 and 15 ... 28
" for concealing arms 28
" for breach of licenses 28
" for purchasing arms from unlicensed persons ... 28
" for delivering arms to persons not authorised to possess 28
Pensioned Officers and pensioners Exemption of— 78
Pistols Magazine-and revolvers. Licenses for the possession of—... 64
Police Department officers Exemption of— 76,96
Poligars of Madras Presidency. Exemption of— 83
Political Officers empowered to grant licenses. List of— ... 115,117
Portuguese, Indo—, are not East Indians 100
Import of arms, ammunition and military stores from—India 41
Possession of arms of any description prohibited 17
and import by dealers of certain balled ammunition ... 60,66
and transport by cultivators and contractors of certain blasting material 67
of arms and ammunition and going armed for sport, protection or display 63
of arms and ammunition and going armed for the destruction of wild animals 56
of arms and ammunition and going armed for the protection of crops 65
of arms by the retainer of a licensee 23
of cannon and certain other articles 62
of firearms, ammunition or military stores ... 63
of gunpowder without license 23
Post Transmission of arms by—in Burma 42
Postal Officers. Exemption of— 76,96
Power to confiscate 29
to exempt 31
to establish searching 14
to make rules as to licenses 20
to prohibit transport 14
to take census of fire arms 34
Prabhat Chandra Chaudhuri *versus* Emperor 26
Presentation swords. Exemption of— ... 104 & Appendix III
Princes and Chiefs, Exemption of— 81

P—*Concluded.* PAGE.

Procedure when arrest made by a person not a Magistrate or Police Officer 15
Proceedings. Sanction required to certain— 32
Notice and limitation of— 34
Production and delivery of licences 48
Prohibited bores. Possession of rifles of— ... ... 42 and Appendix II
Prohibition of going armed without license 15
Public Works Department Officers. Exemption of— 77
Punjab See Appendix I.—Local Rules and Orders
Officers exempted in— 98
Chavis and gandasas treated as arms in the— ... 7
Close season for game in the—Appendix I—Punjab
Persons exempted in the— 83
Places exempted in the— 112
Powers of Officers in—to detain and search, &c., ... 13, 30, 33
Sardars and Jagirdars of—Exemption of— 83

R.

Railway(s.) Exclusion of lands occupied by— 48
Scrutiny by—authorities of consignments ... 47
Railway servants bound to give information of offence 32
Rajas. Exemption of— 77
Ramasami Kamayya Naikar Avergal M. Ry. S. K Withdrawal of the exemption of— 103
Ram Sarup, Emperor *versus* 26
Reduction of fees 72
Refunds or remission of duty ... ... See Appendix III
Registration of arms possessed by exempted persons in Burma ... 80
Re-importation of rifles of military patterns 42
Remission and refunds of fees on licenses 72
Renewal of licenses 71
Repair of arms. Licenses for the— 11,23,27
Repeal of enactments 4
Reports, Annual. Submission of—of arms &c. exported to Native States 53
Submission of—of losses of arms 92
Reservists excluded from the definition of soldiers ... 77
Rules regulating possession of arms by— ... 93
Retainers. Restriction on the number of—of licensed persons ...
Retainers of Kanwar Rukmangad Singh of Katiari ... 85
" Maharaja Sir Bhagwati Parshad Singh K.C.I.E. of — Balrampur 85
" Maharaja Sir Prabhu Narain Singh, Bahadur, G. C. I. E., of Benares 84
" the Prince of Arcot 85
" Raja Balwant Singh, C. I. E., of Awa 85
" Raja Kishen Kumar of Sahaspur Bilari ... 85
" Raja Mahendra Man Singh of Bhadawar ... 84
" Raghoji Rao of Deor 85
" Raja Ram Singh, C. I. E., of Rampura 84
" Raja Ram Partab Singh, of Manda 85
" Raja Rup Sah of Jagmanpur 84
" Raja Sardar Singh Bahadur of Katehra 84
" Raja Udai Partab Singh, C. S. I., of Bhinga ... 85
" Maharani Jagdamba Debi of Ajudhiya ... 85
" Shahzada Basdeo Singh 85

R—*Concluded.* PAGE.

Restriction on the numbers of retainers 66
" upon export of cannon and rifles 49
" upon import of cannon and certain other articles ... 41
" upon import of arms, ammunition or military stores from Portuguese India 41
" upon imports of rifles of military pattern ... 41
" upon possession of cannon and certain other articles 62
" upon transport of cannon and certain other articles 56
Revenue officials on the frontier districts. Exemption of— .. 78
Revolvers and magazine pistols. Possession of— 64
Rifles. Importation of— 42
of prohibited bores (303 or 450 bores) or of military patterns 42 & Appendix II.
Re-importation of—of Military patterns 42
Rockets. War—classed as ammunition 5
Rulings in the case of Ahmad Husan, Queen Empress *versus* ... 24
Bammaya, Queen *versus* 32
Bisban Singh, Empress *versus* 27
Bodappa, Empress *versus* 11
Brojendra Kishor Ray Chaudhuri, Clarke *versus* 30
Clarke *versus* Brojendra Kishor Ray Chaudhuri 30
Dadyama Basapu *versus* Government of Bombay 17
Ebrahim Al bhoy, Emperor *versus* ... 6
Ganga Din, Queen *versus* 24
Harpal Rai, Emperor *versus* 26
Hira Patel, Wala Hiraji *versus* ... 4
Jamal Khan, Empress *versus* 6
Jaya Ram Reddi, Queen *versus* ... 6
Kalinath Singh in the matter of Petition of— 24
Kesar Singh, Empress *versus* 9
Khasim, Queen *versus* 23
Kishunwa, Queen Empress *versus* ... 23
Luke, Queen Empress *versus* ... 25
Narain Singh, Empress *versus* ... 27
Nga Kya Nya Nyo, Crown *versus* ... 6
Nur Din and Nizam Din, Empress *versus* ... 6
Prabhat Chandra Chaudri, Emperor *versus* 26
Ram Sarup, Emperor *versus* 26
Samiulla, Emperor *versus* 27
Sangam Lal, Queen *versus* 24
Santa Singh, Crown *versus* 9
Satis Chandra Roy, Emperor *versus* ... 6
Sher Zaman, Emperor *versus* 27
Sidappa Queen *versus* 5
Sitharamayya, Queen *versus* 23
Suppy, Queen *versus* 11
Tegha Singh, Emperor *versus* 25
Tyab Ali, Emperor *versus* 29
Vyapuri Kangani, Queen *versus* ... 6
Wala Hiraji, Hira Patel *versus* 4
Williams, Queen *versus* 23
Ruling Chiefs and Princes. Exemption of— 81

S.

PAGE.

Sale: Manufacture, conversion and—of arms 10
of arms by Government officials ... ... 11 & App. II
Salt Department officers: Exemption of— 77, 96
Sanction of Local Government required to warehousing arms &c. ... 13
Sanction required to certain proceedings 32
Sangam Lal Queen *versus* 24
Santa Singh, The Crown *versus* 9
Sardars Exemption of Dekkhan and Southern Mahratta Country— 83
Sardars and Jagirdars in Punjab. Exemption of— 83
Sailors. Exemption of— 76
Saltpetre. Exclusion from and inclusion in the definition of military stores of— 5, 105
Samiulla *versus* Emperor 27
Satis Chander Roy, Emperor *versus* 6
Scrutiny by Railway authorities of consignments 47
Search and seizure by Magistrate 24,29
Searches in certain cases, how conducted 33
officers in whose presence—should be made 33
Searching posts to be established between British India and the French and Portuguese Settlements 40
Secret breaches of sections 5, 6, 10, 14 and 15 28
Seizure and detention of arms by Local Government 31
Servants, Public and Railway—bound to give information of offences 32 & App. I
Shamsher Jang, Deb. Maharaja. Exemption of— 79
Shamsher Jang. Khadga, General. Exemption of— 80
Shan Sawbwas. Exemption of— 83
Sher Zaman *versus* Emperor 27
Shooting Pass Rules ... ... See Appendix IV
Sidappa. Queen, *versus* 5
Sitharamayya. Queen *versus* 23
Soldiers. Exemption of— ... . 76, 77 & App. II
Rules for the possession of arms by—on leave ... 90
Spears. Exemption of—in certain Districts ... ... 107 & App. I
Sportsmen. Rules for the guidance of— ... ... Appendix IV
Stamps. Fees to be collected by 74
Sub-target rifle machines. Importation of— ... .. Appendix I
Sulphur classed as military stores, and exemption of— .. 5,105,106
Sale of—and ammunition by an agent of licensed vendor 23
Suppy. The Queen *versus* 11
Survey. Subordinate Officers of the Geological—Exemption of— .. 79
Suspension Cancelling or—of licenses 21
Sword hilts included in the definition of arms 6
Swords carried by Tahsildars in certain District in Bengal. Exemption of 107
in the Angul District. Exemption of— 106
in Sind, Aden and Perim 102
Imported for presentation Exemption of— 104
Or similar weapers carried in marriage processions in Sind Exempted 109
Masonic—Exemption of— 104
Lead cutting—imported by Cavalry regiments Exemption of— 108

T

Talpur family members of—Exemption of 83
Talukars. Grant of licenses to— ... ... Appendix I.
Tegha Singh. Emperor *versus* 25
Telegraph Department Officers, Exemption of— 76
Theatrical and fancy dress swords. Exemption of— 104
Tirupathi, Exemption of the Mahant of——and his retainers ... 83
Title-holders. Exemption of— 75
Transhipment of arms 14, 110
Transport. Definition of— 14, 59
of arms, ammunition or military stores than under license 55
Restriction upon—of cannon and certain other articles ... 56
Delivery of transport licenses 58

U

Uniform swords and dirks. Exemption of— 104
United Provinces ... See Appendix I.—Local Rules and Orders
articles exempted in— 107
exemption of kukris and spears— 107
officers exempted in the— 97
persons " " " 84,87
Unlicensed importation and exportation prohibited 12, 15
possession prohibited 16

V

Vakils or Agents of Native States. Exemptiion of— 79
Village headmen. Exemption of— 82, 103
Volunteers, Enrolled. Exemption of— 25,76,95,101
Vyapuri Kangani, Queen *versus* 6

W

Warehouse at Moyapur 14
Warehousing. Sanction of Local Government required to—arms &c. 13
Warrant officers. Exemption of— 76
War—rockets classed ammunition 5,11
Williams, Queen *versus* 23

Z

Zamindars. Ancient—in Madras Presidency. Examption of— ... 83
Great—of Bengal and E. B. and Assam. Exemption of— 83
Of Scheduled Districts in the Central Provinces. Exemption of— 83
Retainers of— 103

THE INDIAN ARMS ACT MANUAL.

ADDENDA AND CORRIGENDA.

Page 6 Line 14. *For* " meanning " *read* " meaning "
" 11 Line 17. For " posses " *read* " possess."
" 24 Line 34 *For* "I L. R. All. 129", *read* " I. L. R., 15 All. 129."
" 30 Line 16 *add* " Magistrates and " before the words "Police Officers, &c."
" 33 Line 2. *For* " Proceedure " *read* " Procedure."
" 33 Line 25. *For* " Inspectors " *read* " Inspectors and"
" 42 Third line from bottom. *Omit* " that "
" 52 Line 24. *For* " Foregin " *read* " Foreign."
56 Line 25. *For* " posses " *read* " possess "
" 57 Line 18. *For* " Commissisoner " *read* " Commissioner " and *omit* " is " in line 21.
" 58 Line 16. *For* " ammuntiion " *read* " ammunition."
" 67 Line 12. *For* " or " *read* " for."
" 76 Schedule I. Clause (3). *Add* " every member of the Imperial Cadet Corps," after the words " in active service " and *add as a foot-note* (Home Dept. Notn. No. 3638, dated the 13th September 1909).
" 90 Line 22. *For* " resonable " *read* " reasonable."
" 90 Line 29. *For* " Tala " *read* " Tata "
" 91 Line 14. *For* " which " *read* " while "
" 93 Line 40. *For* " possessien " *read* " possession."
" 94 Line 23. *For* " cf " *read* " of "
" 95 Line 9. *For* " quittng " *read* " quitting."
" 96 Line 19. *For* " permissable " *read* " permissible."
" 96 Line 38 *For* " Noticafition " *read* " Notification."
" 100 Line 18. *For* " Troop " *read* " Troops "
" 101 Line 29. *For* " fulfill " *read* " fulfil."
" 102 Note below clause (25) *For* " (234) " *read* " (24)."
" 103 Third line from bottom. *For* " are " *read* " or "
" 108 First line below " Notes " *For* " (Vide note 9) " *read* " Vide note (9)".
" 110 Second line below the table *omit* the word " into "
" 124 Line 6. *insert* " war-rockets or " before the words " machinery for."
" 128 Third line from the bottom. *For* " [rule 11 (13)]" *read* " [rule 11 (3)]."
" 133 Line 5. *For* " rule 39 5)" *read* " rule 39 (5) ".
" 146 Fourth line from bottom. *For* " ammuntition " *read* " ammunition."
" 148 Line 1. *For* " Schendule " *read* " schedule."
" 149 Line 4. *Insert* " to " before " all."

THE INDIAN ARMS ACT, 1878.

STATEMENT OF REPEALS.

SECTIONS 8 AND 9 AND SECOND SCHEDULE REPEALED AND SECTION 14 REPEALED IN PART BY ACT XII OF 1891, FIRST SCHEDULE.

CONTENTS.

PREAMBLE.

I.—Preliminary.

SECTIONS.

1. Short title.
   Local extent.
   Savings.
2. Commencement.
3. Repeal of enactments.
4. Interpretation-clause.

II.—Manufacture, Conversion and Sale.

5. Unlicensed manufacture, conversion and sale prohibited.

III.—Import, Export and Transport.

6. Unlicensed importation and exportation prohibited.
   Importation and exportation of arms and ammunition for private use.
7. Sanction of Local Government required to warehousing of arms, etc.
8. [*Repealed.*]
9. [*Repealed.*]
10. Power to prohibit transport.
    Transhipment of arms.
11. Power to establish searching stations.
12. Arrest of persons conveying arms, etc., under suspicious circumstances.
    Procedure where arrest made by person not a Magistrate or a police-officer.

IV.—Going armed and possessing Arms, etc.

13. Prohibition of going armed without license.
14. Unlicensed possession of firearms, etc.
15. Possession of arms of any description without license prohibited in certain places.
16. Arms of which, possession has become unlawful, to be deposited at police-station.

V.—Licenses.

17. Power to make rules as to licenses.
18. Cancelling and suspension of license.

VI.—Penalties.

19. For breach of sections 5, 6, 10, 13 and 17.
20. For secret breaches of sections 5, 6, 10, 14 and 15.
For concealing arms, etc.
21. For breach of license.
22. For knowingly purchasing arms, etc., from unlicensed person.
For delivering arms, etc., to person not authorized to possess them.
23. Penalty for breach of rule.
24. Power to confiscate.

VII.—Miscellaneous.

25. Search and seizure by Magistrate.
26. Seizure and detention by Local Government.
27. Power to exempt.
28. Information to be given regarding offences.
29. Sanction required to certain proceedings under section 19, clause (*f*).
30. Searches in the case of offences against section 19, clause (*f*), how conducted.
31. Operation of other laws not barred.
32. Power to take census of fire-arms.
33. Notice and limitation of proceedings.

THE FIRST SCHEDULE.—ENACTMENTS REPEALED.
THE SECOND SCHEDULE. [*Repealed.*]

BENGAL SECRETARIAT LIBRARY

THE INDIAN ARMS ACT

ACT No. XI OF 1878.*

[*15th March 1878.*]

An Act to consolidate and amend the law relating to Arms Ammunition and Military Stores.

Preamble.

Whereas it is expedient to consolidate and amend the law relating to arms, ammunition and military stores; It is hereby enacted as follows.

I.—Preliminary.

Short title.
Local extent.

1. This Act may be called the Indian Arms Act, 1878; and it extends to the whole of British India.

Savings.

But nothing herein contained shall apply to—

(*a*) arms, ammunition or military stores on board any sea-going vessel and forming part of her ordinary armament or equipment, or

(*b*) the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government or by a public servant or a volunteer enrolled under the Indian Volunteers Act, 1869, in the course of his duty as such public servant or volunteer.

XX of 1869.

Act XI of 1878 has been declared in force in Upper Burma generally (*see* Act XIII of 1898, First Schedule, in Burma Code, Edition 1899, page 270) and has been extended to the notified areas of Taunggyi in the State of Yawnghwe, Lashio, in the State of North Hsenwi, and Loilem in the State of Laikha, and to the Civil Station of Loimwe in the State of Kēngtung (Burma Govt. Poltl. Dept. Notn. No. 8, dated the 23rd June 1908).

(1) As to the definition of "British India" see the General Clauses Act, 1897 (X of 1897) section I (7).

(2) The sale of arms by the Nazir of the Court, in execution of a decree is a sale by a public servant in discharge of his duty and is therefore excluded by section I clause (*b*) from the operation of the Indian Arms Act, XI of 1878. It is expedient for the Court ordering such sale to give notice of the sale and of the purchaser's name and address as contemplated by section 5 of that Act to the Magistrate of the district or to the police officer in charge of the nearest police station.

WALA HIRAJI *versus* HIRA PATEL.
I. L. R., 9 Bom., 518.

(3) A license granted under the Indian Explosives Act (IV of 1884), for the manufacture, possession, sale, transport or importation of an explosive may be given the effect of a like license granted under the Indian Arms Act, 1878 (XI of 1878).

[Section 15 of the Indian Explosives Act, 1884 (IV of 1884)].

Commencement.

2. This Act shall come into force on such day as the Governor General in Council by notification in the *Gazette of India* appoints.

The Act came into force on the 1st October 1878.
(Home Dept. Notn. No. 1169 of the 27th June 1878.)

Repeal of enactments.

3. On and from that day the enactments mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. But all authorities and permissions given, licenses and exemptions granted, orders and appointments made, notifications published, and rules, conditions and forms prescribed under any enactment hereby repealed, shall be deemed to be respectively given, granted, made, published and prescribed under this Act.

And all such authorities, permissions, licenses and exemptions shall, except as otherwise provided by this Act, continue in force for the periods for which they may have been given or granted respectively, or where no such period is expressly fixed, for one year from the date on which this Act comes into force, and shall then cease to have effect.

Interpretation-clause.

4. In this Act, unless there be something repugnant in the subject or context,—

"cannon" includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting and serving the same:

"arms" includes fire-arms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms and machinery for manufacturing arms:

"ammunition" includes also all articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gun-flints, gun-wads, percussion-caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre:

"military stores," in any section of this Act as applied to any part of British India means any military stores to which the Governor General in Council may from time to time, by notification in the *Gazette of India* specially extend such section, in such part, and includes also all lead, sulphur, saltpetre and other material to which the Governor General in Council may from time to time so extend such section:

"license" means a license granted under this Act, and "licensed" means holding such license.

(1) A gun rendered unserviceable by the loss of the trigger does not fall within the definition of "arms" in section 4 of the Indian Arms Act, 1878. Possession of such a weapon without a license is no offence.

QUEEN *versus* SIDAPPA.
I. L. R, 6 Mad., 60.

(2) A revolver with a broken trigger is within the definition of "arms" in the Indian Arms Act, 1878, section 4 Whether in any particular case an instrument is a fire-arm or not, is a question of fact to be determined

according to circumstances, and the circumstance that it is in unserviceable condition is not conclusive.

QUEEN EMPRESS *versus* JAYARAM REDDI.
I. L. R., 21 Mad., 360.

(3) As a gun-barrel and nipple in serviceable condition fall within the definition of "arms" in section 4 of the Indian Arms Act, 1878, the possession of such articles without a license is punishable under section 19(*f*) of the said Act.

QUEEN *versus* VYAPURI KANGANI.
I. L. R., 7 Mad., 70.

(4) Empty cartridge cases of which the caps have been exploded do not come under the definition of ammunition as contained in the Arms Act. An instrument for recapping cartridge cases of the Martini Henry rifle is not machinery for manufacturing ammunition within the meaning of that Act.

JAMAL KHAN *versus* THE EMPRESS.
Judgment of the Chief Court, Punjab.—No. 440 of 1889.
(*vide* note No. (8) below)

(5) A sword stick is a "sword" within the meaning of the term in section 4 of the Indian Arms Act. Neither the length, breadth or the form of the blade of a weapon, nor the handle, afford any certain test of its classification as "arms". Whatever can be used as an instrument of attack or defence, for cutting as well as for thrusting, and is not an ordinary implement for domestic purposes, falls within the purview of the Act.

EMPEROR *versus* SATISH CHANDRA ROY.
I. L. R, 34 Cal., 749.

(6) A "table knife" however carried or intended to be used is not an arm.

CROWN *versus* NGA KYA NYO.
Rulings of the Chief Court of L. B,—Criminal Revision No. 556 of 1903.

(7) See note (2) to section 5 regarding rockets.

(8) A bench of the High Court at Bombay have held, in a case decided on the 4th May 1905, that empty cartridge cases, in which the caps have been exploded come within the definition of "ammunition."

IMPERATOR *versus* EBRAHIM ALIBHOY.

(9) I am to say that from the reports submitted with your letter it appears to the Governor General in Council clear that these iron droppings or pellets are ammunition, and should be treated as such for the purposes of the Arms Act.

* Known in the North West Provinces as *boonda*.

(Home Dept. letter No. 1630, dated 7th October 1881.)

(10) Accused were convicted for having in their possession sword-hilts bought from time to time at sales of old stores. They contended that sword-hilts were not arms within the meaning of the Act. *Held* that the expression

'arms' included 'parts of arms' and that the hilt being part of a sword was an arm.

NUR DIN AND NIZAM DIN *versus* THE EMPRESS.

Judgment of the Chief Court, Punjab.—Case No. 773 of 1889.

(11) As the result of recent enquiries, the Lieutenant-Governor has decided that the executive authorities will be acting within the provisions of the law if they treat the weapons known as *chavis* as arms for the purposes of the Indian Arms Act, 1878, and the rules thereunder; and he is pleased to direct that they shall henceforth be so treated except in the two Frontier Divisions of the Province, subject to the instructions which follow.

2. The Scheduled Districts of the Punjab have been withdrawn from the operation of all prohibitions and directions contained in section 13 of the Act, which does not, therefore, apply to the tracts of Lahaul and Spiti. Clause 2 of section 32 of Act No. XXXI of 1860 did not at the time when Act XI of 1878 came into force apply to the districts of Simla and Kangra, and section 15 of Act XI of 1878 has not subsequently been extended to either district. The result, then, of the ruling contained in paragraph 1 of this letter in the four Cis-Indus Divisions of the Province is that the executive authorities are instructed to assume that the law is as follows :—

(Except in Lahaul and Spiti) no person shall go armed with any *chavi* except under a license and to the extent and in the manner permitted thereby (section 13 of Arms Act).

(Except in the Simla and Kangra Districts) no person shall have in his possession any *chavi*, except under a license and in the manner and to the extent permitted thereby (section 15 of Arms Act). The rest of the Act and the rules thereunder are similarly to be assumed applicable to *chavis* in the same way as to other arms [illegible] go armed with such a weapon contrary to the provisions of section 13, or to possess such a weapon contrary to the provisions of section 15, is to commit an offence under section 19 (*e*) (*f*) or section 20, as the case may be; and an offence which in either case is cognizable by the Police (Schedule II to the Criminal Procedure Code, 1898).

3. It will, I am to say, be the duty of Commissioners and District Magistrates to see that the Crown is adequately represented at all stages in every case in which the application of the Arms Act and rules to *chavis* is likely to come in question before the Courts, and that every case in which a judicial ruling on the subject has been given, whether by a Civil or a Criminal Court, is promptly reported to Government. It remains to indicate the lines on which the law, as interpreted in paragraph 1 of this circular, should be enforced.

4. The Lieutenant-Governor thinks it undesirable that there should be any general house searches to discover *chavis* improperly possessed though he does not intend to prohibit search under section 25 when definite information has directed attention to particular houses, or when the perpetration of crimes of violence in which weapons of the kind have been used is traced to particular localities. The objection is to general searches without special

reason. A person found carrying a *chavi* contrary to the provisions of section 12 or section 13 may always (subject to the remarks on the subject of notice in the next following paragraph) be deprived of his weapon by a properly authorized person; and similar weapons found in the course of properly authorized searches may always be taken away by the police in the exercise of their preventive authority, even if no prosecution in respect to them is instituted. The Lieutenant-Governor is, however, pleased to direct that no seizure of an unlicensed *chavi*, whether in the exercise of the preventive authority conferred by section 149, Criminal Procedure Code, or under section 13 of the Arms Act, should be made by any police officer below the rank of sergeant.

5. The first step to take, however, is to issue a proclamation in each district concerned warning the people that they must apply within one month for licenses in respect to *chavis*, or deposit them with the officer in charge of the nearest police station.

6. Licenses in Form VIII should be freely granted for purposes of protection to respectable persons, and in circumstances where it seems likely that the deprivation of *chavis* would tend to encourage rather then diminish crimes of violence by taking away from the well-disposed the means of defending themselves. The question of abolishing the levy of fees for licenses in Form VIII, whether for *chavis* or for other arms, is under the Lieutenant-Governor's consideration: but for the present it will be necessary to follow the existing rule on the subject.

7. Prosecution should not for the present be generally instituted, and where instituted they should be conducted with caution and carefully watched. Short of prosecution for a breach of the Arms Act, it is always open to the District Magistrate to instruct the police to take persons found carrying *chavis* before the nearest Magistrate, in order that he may satisfy himself as to their antecedents and ascertain whether security ought to be demanded from them under section 107, 109 or 110 of the Criminal Procedure Code: and instructions to this effect might be given to all Police officers not below the rank of officers in charge of stations.

8. In the districts of Lahore, Amritsar and Ferozpur the instructions of this circular in respect to *chavis* should be carried out in regard to long-handled *gandasas* also. As regards other districts, I am to say that the long handled *gandasa* is, in some places, a weapon almost, if not quite as formidable as the *chavi* and used, like the *chavi*, for purposes of offence, and not, as elsewhere, as an agricultural implement: and where this is the case, the District Magistrate would be similarly justified in treating it as a weapon coming under the provisions of the Arms Act. If, therefore, any Deputy Commissioner thinks it desirable to proceed on these lines in regard to any such weapon which is not capable of being classed as a *chavi*, he should refer the matter, through the Commissioner, for the orders of Government, stating what definition he proposes and the reasons for the measure.

9. Commissioners should keep a careful watch on the manner in which Deputy Commissioners in their Divisions give effect to the instructions contained in this circular.

10. The Inspector-General of Police will be requested to notice the effect of the measures now to be taken against *chavis* and *gandasas* in the Police Administration Report for the current year.

(Punjab Govt cir. letter No. 12-1309, dated the 29th Sep. 1899.)

(12) The accused having been convicted of being in possession of a *chavi* without a license, with reference to Punjab Government circular No. 12-1309, dated 29th September 1899, directing that *chavis* are to be treated as arms for the purposes of the Indian Arms Act, and rules there-under, applied for revision to the Sessions Judge, who reported the case to the Chief Court with a view to the quashing of the conviction, on the ground that a *chavi* does not come within the definition of "arms" given in section 4 of the Act, and that the Local Government had no power to extend the definition; he also expressed doubts as to whether the instrument was really a *chavi* or a *gandasa*. *Held* that there is no exhaustive definition in the Indian Arms Act of the expression "arms" which though necessarily including the articles specified in the section, may also be held to apply to other instruments or weapons. Where the circumstances of a case show that a weapon or instrument is carried for the purpose of offence or defence and not as an article of domestic or agricultural utility there is no reason why such weapon or instrument should not be held to fall within the category of "arms". This being so, it was not necessary to decide in this case whether the weapon found on the accused was a *chavi* or a *gandasa*, it being im-material what the name, shape, or size of an instrument is, but material to determine the use for which it is carried or possessed.

The Crown *versus* SANTA SINGH.

Judgment of the Chief Court, Punjab,—Criminal Revision No. 576 of 1900.

(13) *Held*, (1) that *chavis* may be arms within the meaning of the Indian Arms Act, and (2) that as the word "arms" in section 4 of the Act includes parts of arms the possession of a "*chavi*-head" may amount to possession of arms.

The Empress-Appellant, *versus* KESAR SINGH-Respondent.

Judgment of the Chief Court, Punjab—Criminal Appeal No. 399 of 1900.

(14) As there has been some misapprehension as to the purport of the letters méntioned on the margin regarding the treatment of *chavis* and *gandasas* as "arms" under Act XI of 1878, I am directed to address you as follows.

Punjab Govt. cirs. No. 12-1309, dated 29th Sep. 1899, and No. 1354, dated 14th Sept. 1900.

2. As noted in the Chief Court's decision, No 16, Punjab Record (Criminal) of 1900, (referred to above) any weapons or instruments carried or possessed for the purpose of offence and defence come under the category of "arms." The more common weapons and instruments which when carried or possessed by individuals may universally be presumed to be so

carried or possessed for purposes of offence or defence are specified in section 4 of the Act, but the list there given is not exhaustive, and the Local Government in 1899, after considerable enquiry, concluded that (*a*) *chavis* throughout the Province and (*b*) long-handled *gandasas* in the Lahore, Amritsar and Ferozpur Districts were so very rarely carried or possessed except for purposes of offence and defence, that the executive officers of Government might properly treat these weapons as "arms" within the meaning of the Act. District Officers were accordingly, in paragraph 8 of this office letter No. 1302, dated 29th September 1899, authorised to treat these weapons as arms.

3. It was not intended by the instructions above described to limit the action of District Officers to the weapons there mentioned. It is still open to them to take action under the Arms Act either :

(*a*) generally as regards weapons in respect of which they may have received authorization under the last sentence of paragraph 8 of the letter of 29th September 1899, or

(*b*) in particular instances as regards weapons or instruments of any description which in those particular cases appear to be possessed or carried for purposes of offence or defence.

I am to add that action under (*b*) can be taken by Deputy Commissioners without reference to higher authority.

(Punjab Govt. cir. No. 5-1125, dated the 16th October 1903.)

II.—Manufacture, Conversion and Sale.

Unlicensed manufacture, conversion and sale prohibited.

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the officer in charge of the nearest police-station, notice of the sale and of the purchaser's name and address.

(1) *Vide* note (2) to section 1 *ante*.

(2) The manufacture or possession of fireworks, including rockets which are mere fireworks, without a license, is not prohibited by section 5 of the Indian Arms Act, 1878. The rockets referred to in section 4 are war-rockets.

QUEEN *versus* SUPPY.
I. L. R, 5 Mad., 159.

(3) A person having obtained a license under the Arms Act, 1878, for a match-lock, had the same converted into a percussion gun. He was convicted under section 19 of the said Act on the ground that the license did not permit him to keep a percussion gun. *Held* that the conviction was bad.
QUEEN EMPRESS *versus* BODAPPA.
I. L. R., 10 Mad. 131.

(4) All officers of Government, whose duty it may be to conduct sales of arms, are required to satisfy themselves, before the confirmation of the sales, by a reference to the District Magistrate, that the purchasers are entitled to possess such arms.

(Bombay Govt. cir., No. 2823, dated 2nd May 1901).

(5) It has been reported that officers of Government are often careless in the disposal of fire-arms and ammunition. Cases have occurred in which officers have sent rifles and rifle ammunition to be put up for public auction, and have allowed them to be so disposed of to persons not entitled to possess them. The Government of India have requested that severe notice may be taken of any such culpable negligence on the part of officers employed under the Government; and all officers are therefore warned of the consequences of disposing of arms and ammunition to any person in this country without first ascertaining that such a person is lawfully entitled to purchase or possess the same.

(6) The Governor General in Council has decided that the substance of the following order of the Commander-in-Chief shall apply to all civil as well as military officers : —

"If any officer or soldier wishes to dispose of any arms or ammunition either by private sale or public auction, he will ascertain that the would-be purchaser is a person entitled by law to possess the same, and if such person's name does not appear in the official Army or Civil List, he will apply to the Magistrate or Deputy Commissioner of the district or the local Political Officer, as the case may be, for permission for the transaction to take place.

(Home Dept. letters Nos. 902 and 6315, dated the 20th Feb. 1901 and 13th Dec. 1901.)

(U. P. G. O., Nos. 1751 and 1115, dated the 1st June 1901 and 15th April 1901.)

(7) The result of the inquiry made in Home Department circular No. 22—733-741, dated the 2nd June 1881, has been to show that considerable diversity of practice exists in the several provinces in regard to the issue of

licenses, under the provisions of the Indian Arms Act, 1878, for the repair, as differing from the manufacture or conversion of arms. In some provinces, such licenses have been required, while in others it has not been the practice to require persons who merely repair arms to provide themselves with licenses under the Act. In one province it has been held that such cases fall under section 5 of the Arms Act, inasmuch as in order to repair arms, a person must necessarily have such arms in his possession.

2. It may be observed that when a person who repairs arms is also a maker of arms, it is necessary, under the existing law, that he should provide himself with a license in the latter capacity, so that the present question practically only affects persons in the position of ordinary blacksmiths or others who may have arms in their temporary keeping for purposes of repair. In regard to these classes of persons, the Governor General in Council is decidedly of opinion that it formed no part of the intention of the Arms Act to require licenses to be taken out, and His Excellency in Council is accordingly pleased to direct that in future no licenses shall be required merely for carrying on the business of repairing arms.

(Home Dept. resn. No. 69 – 2039-50, dated the 15th Dec. 1881.)

III.—Import, Export and Transport.

Unlicensed importation and exportation prohibited.

6. No person shall bring or take by sea or by land into or out of British India any arms, ammunition or military stores except under a license and in the manner and to the extent permitted by such license.

Importation and exportation of arms and ammunition for private use.

Nothing in the first clause of this section extends to arms (other than cannon) or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition ; but the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or in virtue of his office may at any time detain such arms or ammunition until he receives the orders of the Local Government thereon.

Explanation.—Arms, ammunition and military stores taken from one part of British India to another by sea or across intervening territory not being part of British India, are taken out of and brought into British India, within the meaning of this section.

(1) In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878, the Governor General in Council prohibits the bringing or taking by sea or by land into or out of British India of arms, ammunition or military stores as defined in the Indian Arms Act, 1878, except in accordance with the provisions of that Act and orders issued thereunder.

(F. and C., Dept. Notn. No. 225(dated the 16th August 1879.)

(2) The words "lawfully entitled to possess," apply to persons licensed according to law to possess arms, as well as to persons exempted from the operation of sections 13 and 14 of the Act.

(Madras Govt. No. 2486, dated the 5th Dec. 1881.)

(Home Dept. No. 1024, dated the 17th June 1880.)

(Home Dept. No. 1862, dated the 14th Dec. 1880).

(3) I am to say that the exemption in clause 2 of section 6 of the Indian Arms Act, 1878, covers only the export of arms and ammunition by a privileged person for his own personal use, not the export of arms and ammunition by other people for the use of a privileged person.

(For. Dept. letter No. 1327-I., dated the 23rd March 1891.)

(4) The following officers are empowered to detain arms and ammunition under this section.

Bombay Presidency—Political Resident at Aden.

(Notn. No. 3467, dated the 16th June 1879.)

Bengal.—All Magistrates and police officers not below the grade of Inspector.

(Notn., dated the 15th August, 1879.)

United Provinces.—Any Magistrate, Justice of the Peace, District or Assistant District Superintendent of Police and any police officer being not lower in rank than an officer in charge of a reporting police station.

(G. O. No. 229½, dated the 27th Feb. 1879.)

Punjab.—All Police-officers not below the rank of officer in charge of a station.

(Notn. No. 943, dated the 10th July 1907.)

Central Provinces.—All Magistrates and all officers of the police not below the rank of Assistant District Superintendent of Police.

(Book Cir. No. XXVII, dated the 4th August 1899.)

Sanction of Local Government required to warehousing of arms, etc.

7. Notwithstanding anything contained in the Sea Customs Act, 1878, no arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act without the sanction of the local Government.

The warehouse at Moyapur is declared to be a warehouse for the deposit of ammunition under section 7. The premises of any licensed dealer in arms in Calcutta licensed also as a private warehouse under section 16 of the Sea Customs Act, 1878, and approved of in writing by the Commissioner of Police may be used as a place for the deposit of arms under this section.

(Bengal Govt. Notn. dated the 24th March 1879)

8. [*Levy of duties on arms, etc, imported by sea.*] *Repealed by the Repealing and Amending Act,* 1891 *(XII of* 1891*).*

9 [*Power to impose duty on imports by land.*] *Repealed by the Repealing and Amending Act,* 1891 *(XII of* 1891*).*

Power to prohibit transport.

10. The Governor-General in Council may, from time to time, by notification in the *Gazette of India*:—

(*a*) regulate or prohibit the transport of any description of arms, ammunition or military stores over the whole of British India or any part thereof, either altogether or except under a license and to the extent and in the manner permitted by such license, and

(*b*) cancel any such notification.

Transhipment of arms.

Explanation.—Arms, ammunition or military stores transhipped at a port in British India are transported within the meaning of this section.

Power to establish searching stations.

11. The Local Government, with the previous sanction of the Governor-General in Council, may, at any place along the boundary line between British India and foreign territory, and at such distance within such line as it deems expedient, establish searching posts at which all vessels, carts and baggage animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officer empowered by such Government in this behalf by name or in virtue of his office.

Arrest of persons conveying arms, etc., under suspicious circumstances.

12. When any person is found carrying any arms, ammunition or military stores, whether covered by a license or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him.

Procedure where arrest made by person not a Magistrate or a Police officer.

Any person so apprehended and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police officer, shall be delivered over as soon as possible to a Police-officer.

All persons apprehended by, or delivered to a Police-officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a Magistrate.

IV.—Going armed and possessing Arms, etc.

Prohibition of going armed without license.

13. No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police-officer or other person empowered by the Local Government in this behalf by name or by virtue of his office.

Under this section the following officers are empowered to disarm persons going armed without a license or in contravention of its provisions :—

Madras Presidency.—All Magistrates, Police officers and *adigaris* in the Malabar district.

(G. O. No. 457 dated the 5th Dec. 1895.)

Bombay Presidency.- The undermentioned officers of the Forest Department in the Northern Division, Southern Division and in Sind.

Conservators of Forests.

Deputy Conservators of Forests.

Assistant Conservators.

Extra Assistant Conservators.

Rangers.

Foresters.

Forest Guards.

Salt Inspectors in Sind in virtue of their office.

(Notn. No. 6714 dated the 7th Novr. 1879.)

(Notn No. 9355 dated the 29th Novr. 1892.)

(Notn. No 3049-A., dated the 8th June 1889.)

Officers, sepoys and peons of the Salt Department employed on the Goa and on the Northern Frontiers.

(Notn. No. 410 dated the 18th Jany. 1895.)

(Notn. No. 4082, dated the 11th Augt. 1905.)

United Provinces.—The Conservator of Forests, School Circle, and all Deputy Conservators Assistant Conservators, and Sub-Assistant Conservators (including probationers). Patwaris in Jaunsar-Bawar have similar powers.

(G. O. No. 274 dated the 11th March 1890.)

(G. O. No. 1077-VI-620-B. dated the 29th April 1891.)

Burma —All headmen and rural policemen appointed under section 25 of the Burma Village Act 1907

(Notn. No. 112 dated the 25th Augt. 1909.)

Central Provinces.—All Forest officers not below the rank of Assistant Conservator and all Revenue officers not below the rank of Naib-Tahsildar.

(Notn. No. 2595-A, dated the 18th June 1895.)

Unlicensed possession of fire arms, etc.

14. No person shall have in his possession or under his control any cannon or fire arms, or any ammunition or military stores except under a license and in the manner and to the extent permitted thereby.

[*Temporary Provision*] *Repealed by the Repealing and Amending Act, 1891 (XII of 1891).*

Possession of arms of any description without license prohibited in certain places.

15. In any place to which section 32, clause 2, of Act No. XXXI of 1860 applies at the time this Act comes into force or to which the Local Government with the previous sanction of the Governor-General in Council, may by notification in the local official Gazette specially extend this section, no person shall have in his possession any arms of any description, except under the license and in the manner and to the extent permitted thereby.

(1) Clause 2, section 32 of Act XXXI of 1860, relating to the manufacture, importation and sale of arms, did not apply to the Badami Taluka of the Kaladgi Collectorate at the time when the Indian Arms Act No. XI of 1878, came into force; and the notification of the Government of Bombay, No. 1112 of the 19th February 1878, which declares that the provisions of Act XXXI of 1860, as modified by Act VI of 1866, are in force in Badami amongst other places, is not an order of disarmament under clause (1) section 32 of Act XXXI of 1860. In the absence therefore, of notification under section 15 of Act XI, of 1878, extending, with the previous sanction of the Governor-General in Council, the provisions of the section to Badami, the possession of arms without a license in that taluka is not punishable under section 19.

Govt. of Bombay *Versus* DADYAMA BASAPU.
I. L. R., 9 Bom. 478.

(2) *Vide* note (14) to section 19.

(3) This section has been extended to the following places;

Madras Presidency.—Calicut.
Ernad.
Walavanád.
Ponnáni.

(G. O. No. 260 dated the 30th Jan. 1885.)
(,, 355 dated the 6th Feb. 1885.)

Bombay Presidency.—Aden.
(No. 3467 dated the 16th Jan. 1879, notn.)

(4) The Governor in Council is pleased to republish Government notification No. 1112 dated the 19th February 1878, with the addition attached to it by Government resolution No. 4378 dated the 13th August 1890:—

It is hereby notified, for general information that the provisions of Act XXXI of 1860 (relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same,

and to give the power of disarming in certain cases) as modified by Act VI, of 1866, are in force in the following places, districts and portions of districts :—

Town and Island of Bombay.

District of Ratnagiri.

" Poona.

" Ahmednagar.

" Satara.

" Belgaum.

" Dharwar.

District of Sholapur, in the following talukas only :—

(*a*) Pandharpur.

(*b*) Sangola.

District of Kaladgi, in the following talukas only :—

(*a*) Bijapur.

(*b*) Bagalkot.

(*c*) Badami.

(*d*) Hungund.

Kanara, in the following talukas only :—

(*a*) Supa.

(*b*) Yellapur.

(*c*) Karwar.

(*d*) Sirsi.

(*e*) Siddapur.

Nasik, in the following talukas only :—

(*a*) Nasik.

(*b*) Igatpuri.

(*c*) Dindori.

(*d*) Sinnar.

(*e*) Niphad.

(*f*) Yeola.

(*g*) Chardor.

2. And that the provisions of Act XXXI 1860 (relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same, and to give the power of disarming in certain cases), as modified by Act VI of 1866, are, with the exception of the several clauses of section 32, which apply to the disarmament of any district, in force in the following districts and portions of districts :—

The Province of Sind, *viz.*, the districts of Karachi, Hyderabad and Shikarpur, Thar and Parkar and the Upper Sind Frontier.

District of Ahmedabad.

" Surat.

" Broach.

" Kaira.

" Panch Mahals.

" Thana.

" Kolaba.

District of Nasik in the following talukas only :—

(*a*) Malegaon.

(*b*) Nandgaon.

(*c*) Báglán.

(*d*) Kalvan.

District of Kánara, in the following talukas only :—

(*a*) Kumta.

(*b*) Honavar.

District of Kaladgi, in the following talukas only :—

(*a*) Indi.

(*b*) Sindgi.

(*c*) Muddebihal.

(*d*) Bagevadi.

District of Sholapur in the following talukas only :—

(*a*) Sholapur.

(*b*) Barsi.

(*c*) Madha.

(*d*) Karmala.

(Notn. No. 391, dated the 18th Jan. 1893.)

Peint Taluka in the district of Nasik.

(Notn. No. 8225, dated the 12th Dec. 1898.)

(5) Punjab.—Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan districts.

(Notn. No. 1635, dated the 16th Nov. 1900.)

16. Any person possessing arms, ammunition or military stores, the possession whereof by him has in consequence of the cancellation or expiry of a license or by the issue of a notification under section 15, become unlawful, shall deposit the same without unnecessary delay with the officer in charge of the nearest police-station.

Arms of which possession has become unlawful to be deposited at police station.

If the owner of anything deposited under this section does not within three years from the date on which such thing is so deposited produce a license authorising him to possess the same and apply for delivery of the same, such thing shall be forfeited to His Majesty.

V.—Licenses.

17. The Governor-General in Council may, from time to time, by notification in the *Gazette of India*, make rules to determine the officers by whom, the form in which, and the terms and conditions, on and subject to which, any license shall be granted; and may by such rules among other matters—

Power to make rules as to licenses.

(*a*) fix the period for which such license shall continue in force;

(*b*) fix a fee payable by stamp or otherwise in respect of any such license granted in a place to which section 32, clause 2, of Act No. XXXI of 1860, applies at the time this Act comes into force, or in respect of any such license other than a license for possession granted in any other place;

(*c*) direct that the holder of any such license other than a license for possession shall keep a record or account in such form as the Local Government may prescribe, of anything done under such license, and exhibit such record or account when called upon by an officer of Government to do so;

(*d*) empower any officer of Government to enter and inspect any premises in which arms, ammunition or military stores are manufactured or kept by any person holding a license of the description referred to in section 5 or section 6;

(*e*) direct that any such person shall exhibit the entire stock of arms, ammunition and military stores in his possession or under his control to any officer of Government so empowered; and

(*f*) require the person holding any license or acting under any license to produce the same and to produce or account for the arms, ammunition or military stores covered by the same when called upon by an officer of Government so to do.

Cancelling and suspension of license.

18. Any license may be cancelled or suspended—

(*a*) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a District, or Commissioner of Police in a Presidency-town, within the local limits of whose jurisdiction the holder of such license may be, when, for reasons to be recorded in writing such officer, authority, Magistrate or Commissioner deems it necessary for the security of the public peace to cancel or suspend such license; or

(*b*) by any Judge or Magistrate before whom the holder of such license is convicted of an offence against this Act, or against the rules made under this Act; and

the Local Government may at its discretion, by a notification in the local official Gazette, cancel or suspend all or any licenses throughout the whole or any portion of the territories under its administration.

(1) Whereas numerous murders by gun-shot have been committed in the district of Backergunge, and it is deemed necessary for the suppression of such crime that the possession and use of fire-arms in the district should not be permitted, the Lieutenant Governor under the authority vested in him by section 18 of the Indian Arms Act, XI of 1878, hereby notifies that all licenses now held in the district under sections 5, 13 and 14 of the said Act, that is to say, for the manufacture, conversion or sale of fire-arms and the sale of ammunition, for going armed with fire-arms and for having in possession or under control fire-arms and ammunition, are cancelled with effect from the 1st September 1896. The Magistrate of the district will allow to the holders of licenses such time as may be necessary for the deposit of their arms with the officer in charge of the nearest police-station.

Arrangements will be made whereby the Collecting members of Chaukidari panchayets will be supplied with guns for use where they may be needed for protection against wild animals.

(Bengal Govt. Notn. No. 4772-J., dated the 22nd Aug. 1896.)

VI.—Penalties.

For breach of sections, 5, 6, 10, 13 to 17.

*19. Whoever commits any of the following offences (namely) :—

(*a*) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 5 ;

(*b*) fails to give notice as required by the same section ;

(*c*) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 6 ;

(*d*) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 10 ;

(*e*) goes armed in contravention of the provisions of section 13 ;

(*f*) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15 ;

(*g*) intentionally makes any false entry in a record or account which, by a rule made under section 17, clause (*c*), he is required to keep ;

* Offences under this section are bailable. (See Schedule II, Code of Criminal Procedure, 1898).

(*h*) intentionally fails to exhibit anything which, by a rule made under section 17, clause (*e*), he is required to exhibit ; or

(*i*) fails to deposit arms, ammunition or military stores, as required by section 14 or section 16 ;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(1) The possession of gunpowder without a license whether intended for the manufacture of fireworks or not, is an offence under section 19 of the Indian Arms Act, 1878.

QUEEN EMPRESS *versus* KHASIM.
I. L. R., 8 Mad. 202.

(2) Sale of sulphur and ammunition by the agent of one holding a license under Act XI of 1878 is not illegal.

QUEEN EMPRESS *versus* SITHARAMAYYA.
I. L. R., 12 Mad. 473.

(3) A servant of a person who possessed a license for two swords and a gun, which license also covered one retainer, was stopped by the police on the road while carrying a sword. On being asked to produce his license, he was unable to do so, it not then being with him. No opportunity was afforded him of producing the license, but he was charged with an offence under section 19 ot Act XI of 1878, and on these materials convicted and fined. *Held* that the conviction was wrong. The law does not require a licensee always to have his license with him. If, under such circumstances, on being required to produce it, he is prepared to do so on a reasonable opportunity being given him to get it, and it exists, he should not be prosecuted ; if prosecuted, the production of the license at the trial is a sufficient answer to the charge of infringing the Arms Act. *Held* further that a license granted to a person to carry arms and including a retainer authorises any retainer to carry the arms specified with the permission of his master, and does not restrict him merely to carry them while in the actual presence of his master.

QUEEN EMPRESS *versus* KISHUNWA.
I. L. R., 20 Cal. 444.

(4) Where a person is found carrying arms apparently in contravention of the provisions of the Arms Act, it must be presumed in the absence of proof to the contrary, that he is carrying such arms with the intention of using them should an opportunity of using them arise.

QUEEN EMPRESS *Versus* WILLIAMS.
I. L. R., 15 All. 27.

(5) The mere temporary possession without a license of arms for purposes other than use as such, as for instance, where a servant is carrying his master's gun to a blacksmith for repairs, or where a blacksmith has a gun left with him for repairs, is not an offence within section 19 of the Indian Arms Act, 1878.

Tota Ram + othe

QUEEN EMPRESS *versus* WILLIAMS.

(6) By a notification under section 27 of the Arms Act issued by the Government of India, certain persons, amongst them certain Rajas and members of the Legislative Council of the Lieutenant-Governor of the North Western Provinces, were exempted from the operation of sections 13 and 16 of the said Act, but with this proviso that "except where otherwise expressly stated, the arms or ammunition carried or possessed by such persons shall be for their personal use, etc." *Held* that the terms of this proviso would allow of a person exempted under the notification, above alluded to, sending a servant armed with a gun into a neighbouring district to shoot birds for him, and that a gun so carried and used by the servant of the exempted person was in the "personal use" of the exempted person within the meaning of the notification.

QUEEN EMPRESS *versus* GANGA DIN,
I. L. R., 22 All. 118.

(7) An order extending the time of renewal of licenses has the effect of keeping a license previously granted practically in force, and a person cannot be convicted of an offence under section 19 (*f*) of the Arms Act for a breach of its provision within the extended time.

In the matter of the Petition,
KALI NATH SINGH.
3, *C. W. N.* 394.

(8) When a Magistrate issues a search warrant under section 25 of the Indian Arms Act, 1878, it is necessary that he should record the grounds of his belief that the person against whom the warrant is issued has in his possession arms, ammunition or military stores for an unlawful purpose. Where proceedings under the Indian Arms Act, 1878, in respect of the unlawful possession of arms are taken against a member of a joint Hindu family not being the head of such joint family, and arms are found in a common room of the joint family house, it is incumbent upon the prosecution to give good evidence that such arms are in the exclusive possession and control of the particular member of the joint family who is sought to be charged with their possession.

QUEEN EMPRESS *Versus* SANGAM LAL.
I. L. R., 15 All. 129.

(9) The license of the accused for the possession of firearms and ammunition was cancelled in August 1897. He was suspected in being possession of arms after the cancellation of his license. On the 23rd of April 1899, the Assistant Magistrate of Purneah, with a number of police, went to the house of the accused to search for arms. They surrounded it, arrested the accused and then searched his house. The police had no search warrants, nor was there anything to show upon what charge the accused was arrested. Two gun stocks, some ammunition and implements for reloading were discovered in the house. There was nothing to show that the sanction required by section 29 of the Arms Act was given before proceedings were instituted against the accused. Accused was convicted and sentenced under section 19 and 20 of the Arms Act. *Held* that the conviction under section 20 was not sustainable.

but that the accused must be taken to have had arms and ammunition as defined by the Arms Act, within the meaning of section 19 (*f*) of that Act and the conviction under that section must be confirmed. *Held*, further, that with respect to the question of whether or not any previous sanction had been given under section 29 of the Arms Act, the Court was not unmindful of the suggestion that the charge in this case was, in the first instance, in respect of an alleged offence under section 20 and not of one under section 19; but that sections 19 and 20 were so interwoven that it was difficult to see how an offence could be committed under the first paragraph of section 20 unless an offence under one of the enumerated sub-sections in section 19 had also been committed. It was not suggested that the charge here was an offence under the second paragraph of section 20.

AHMAD HUSSAIN *Versus* QUEEN EMPRESS.
I. L. R., 27 Cal. 692.

(10) A volunteer, being a person exempted in virtue of notification No. 458 dated 18th March 1898, of the Government of India, is not exempted merely with reference to his duties as a volunteer, but generally (subject to the exceptions mentioned in the said notification) It is therefore not unlawful for a volunteer to possess firearms and to use them.

QUEEN EMPRESS *Versus* LUKE.
I. L. R., 28 All. 323.

(11) A collection of firearms, consisting of four small cannon, four pistols and thirty-one muskets, had been kept as objects of worship in a Sikh temple in Patna for upwards of two centuries. The Mahant of the temple neglected to take out a license in respect of these arms under Act XI of 1878. A Police Inspector, who was appointed to see that the provisions of the latter Act were obeyed, searched the temple on information received, and, having found the arms, prosecuted the person who had charge of the temple. The latter was convicted by the Deputy Magistrate of Patna under section 19 (*f*) of Act XI of 1878, and sentenced to pay a fine of Rs. 50 or to be rigorously imprisoned for two months. The Deputy Magistrate also ordered the arms to be confiscated, and directed that their value and the fine should be divided between the informer and the Police Inspector. On a reference from the Sessions Judge of Patna,—*Held* with reference to Act X of 1872, section 579, and the last heading to Schedule IV of the same Act and to section 19 (*f*) of Act XI of 1878, that the proceedings of the Police Inspector and the conviction of the accused were not illegal. There is nothing in the Arms Act to exempt the custodians of a temple from complying with the requirements of the Arms Act either by taking out a license or obtaining exemption under section 27. Section 25 of the Arms Act appears to refer to cases in which the Magistrate considers that arms, whether under a license or not, are possessed for an illegal purpose, or under circumstances such as to endanger the public peace. Section 30 of the Arms Act appears to contemplate the presence of some specially empowered officer, besides the officer conducting the search.

EMPEROR *Versus* TEGHA SINGH.
I. L. R., 8 Cal. 473.

(12) A person entitled to possess and use firearms gave a pistol to an acquaintance, who was not entitled to possess and use firearms, asking him to take it and get it repaired in a neighbouring town. The acquaintance gave the pistol to his father, Harpal Rai, who was taking it to the town to get it repaired, when he was arrested and charged with an offence under section 19 of the Indian Arms Act, 1878. *Held* that Harpal Rai was, under the circumstances guilty of no offence under the Arms Act. The mere temporary possession, without a license, of arms, for purposes other than their use as such, is not an offence within the meaning of section 19 of the Arms Act.

EMPEROR *Versus* HARPAL RAI.
I. L. R., 24 All. 454.

(13) The mere denial, on the part of a person, whose house is being searched by the Police for unlicensed arms, that he has any such arms in his possession does not constitute a concealment or attempt to conceal arms on search being made by the police within the meaning of the second paragraph of section 20 of Act XI of 1878. *Held* also, that where unlicensed arms are found concealed upon premises which, though legally the joint property of a joint Hindu family, are in fact at the time of the finding in the exclusive possession and control of one member of the family can properly be held to be in possession of such arms, Queen Empress *versus* Sangan Lal (*vide* note no (8) above) distinguished.

EMPEROR *Versus* RAM SARUP.
I. L. R, 28 All. 302.

(14) A person named, Prabhat Chandra Chaudri, seized a gun which was in the hands of a servant of an exempted person and fired at a mad dog which had entered the compound of his house. It missed the animal but a shot from the gun wounded a man named Manda Rajbansi. For this Prabhat Chandra Chaudhri was convicted under section 304-A., I. P. C., and sentenced to pay a fine of Rs. 300 and to detention in court for one day. The Sessions Judge on appeal reduced the fine to Rs. 100. The accused was again prosecuted under section 19 (*f*) of Act XI of 1878. *Held* that the accused was not liable under the section referred to. The provisions of this section do not make the mere possession of a gun punishable; they make possession contrary to the provisions of section 14 of the Act punishable. The temporary possession which the accused had of the gun when he snatched it up and fired it was not the possession contemplated by section 14 of the Arms Act.

PRABHAT CHANDRA CHAUDRI *Versus* EMPEROR.
I. L. R., 35 Cal. 219.

(15) The petitioner proceeded on leave from his regiment in April 1884, when he held the rank of a Havildar in the regiment. On 22nd June 1884, one A was found carrying a gun which he said belonged to the petitioner, who, on being questioned about it, admitted that it was his, and said he had a pass from the Officer Commanding his detachment. At the trial it was found that the pass was not given by the Officer Commanding as alleged, and the petitioner was accordingly convicted of having been in possession of

arms without a license. In appeal it was brought to notice that in the Gazette of India of the 30th August 1884, the petitioner has been promoted to the rank of Jamadar with retrospective effect from the 1st June 1884, and that, therefore, he fell within the exemption extended to Commissioned officers of the Native Army. The Sessions Judge held that as petitioner was only a Havildar, so far as the public orders were concerned, on the date of the offence, the fact of his subsequent promotion with retrospective effect was of no avail. *Held*, that the petitioner having obtained a Commission of a date prior to the 22nd June 1884, must be held to have been a Commissioned Officer on the date, the fact of the order promoting him bearing a later date notwithstanding, and that, therefore, he fell within one of the classes exempted by the Government of India from the operation of the prohibitions contained in sections 14 and 15 of the Indian Arms Act.

NARAIN SINGH Appellant *versus* The Empress—Respondent.
Judgment of the Chief Court, Punjab.—Case No. 183 of 1885.

(16) The accused a reservist of the 43rd Sikhs, being found in possession of a double-barrelled gun without a pass required under certain paragraphs of the Army Regulations, India, was convicted under section 19 of the Indian Arms Act, 1878. *Held*, that as the notification of the Government of India in the Home Department, No 518, dated the 6th March 1879, as amended, exempts all soldiers in the service of Her Majesty the Queen-Empress of India from the operation of certain provisions of sections 13—16 of the Arms Act, 1878, and as by the orders of the Government of India the term soldiers includes reservists, the possession of a double barrelled gun by the accused did not constitute an offence against the provisions of the Indian Arms Act, 1878. *Held further*, that there is no provision of law or of any rule having the force of law whereby the Army Regulations, India, can be held legally to restrict the powers exercised by the Governor General Council under section 27 of the Arms Act, 1878.

The Empress *versus* BISHEN SINGH.
Judgment of the Chief Court, Punjab.—Criminal Revision 845 of 1900.

(17) In a prosecution under section 19 of the Indian Arms Act, 1878, the accused was charged with being in possession of a dagger which was found in a cloth or quilt inside a basket in one of the rooms of his house. It appeared that the room and house were jointly occupied by the accused and his son, and the prosecution failed to prove that the dagger was in the exclusive possession and control of the accused, or that he was its owner. *Held*, that the accused was, under the circumstances, not guilty of an offence under the Arms Act.

King-Emperor *versus* SHER ZAMAN.
Judgment of the Chief Court, Punjab.—Criminal Appeal No. 266 of 1905.

(18) A revolver, even if temporarily out of repairs, is within the definition of "arms" in section 4 of the Indian Arms Act, 1878, and consequently the possession of such a weapon is an offence under section 19 of the Act.

KING EMPEROR *versus* SAMIULLA.
Judgment of the Chief Court, Punjab.—Criminal appeal No. 556 of 1907.

For secret breaches of sections 5, 6, 10, 14, and 15.

20. Whoever does any act mentioned in clause (*a*), (*c*), (*d*) or (*f*) of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a railway or to the servant of any public carrier,

For concealing arms, etc.

and whoever, on any search being made under section 25, conceals or attempts to conceal any arms ammunition or military stores,

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

Vide notes Nos. (9) and 13 to section 19.

For breach of license.

21. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

For knowingly purchasing arms, etc, from unlicensed persons.

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorised under the proviso to section 5, to sell the same; or

For delivering arms, etc, to persons not authorised to possess them.

delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same;

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

The manager of a licensed-vendor of arms, ammunition and military stores sold certain military stores without previously ascertaining whether the buyer was legally authorised to possess the same. *Held* that the licensee was liable to punishment under section 22 of the Indian Arms Act, 1878, though the goods were not sold with his knowledge and consent. The principle—"whatever a servant does in the course of his employment with which he is entrusted and as a part of it, is his master's act"—is applicable to the present case.

Queen Empress *versus* TYAB ALI.
I. L. R, 24 Bom. 423.

Penalty for breach of rule.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

Power to confiscate.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale shall be confiscated.

(1) Articles which are not arms at all, but are mere curiosities, are not liable to confiscation under the Act.

(Bombay Govt. notn. No. 6205, dated the 9th Sep. 1880.)

(2) The discretionary power of confiscating arms conferred by this section should be very considerately used. A mere breach of license is not ordinarily an adequate reason for confiscation, and junior Magistrates should usually refer the question of the necessity for confiscation to the Magistrate of the district for decision.

(U. P. G. O. No. 454-VI-989, dated the 14th Mch 1887.)

Search and seizure by Magistrate.

25. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any unlawful purpose,

or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace,

such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person or in which such Magistrate has reason to believe such arms, ammunition or military stores are or is to be found, and may seize and detain the same, although covered by a license, in safe custody for such time as he thinks necessary.

The search in such case shall be conducted by, or in the presence of a Magistrate, or by or in the presence of, some officer specially empowered in this behalf by name or in virtue of his office by the local Government.

The officers mentioned below are empowered under this section to conduct searches.

(1) In *Bengal*—Police officers not below the grade of an Inspector. (Notn. dated the 24th March 1879)

In the *United Provinces*—Justices of the Peace, District Superintendent, Assistant Superintendents, Deputy Superintendents, and Inspectors of Police.

(G. O. No. 3264-VI-660-D-2, dated the 9th November 1907)

In the *Punjab*—All Police-officers not below the rank of officer in charge of a station.

(Notn. No. 943, dated the 10th July 1907)

In *Burma*—All District Superintendents, Assistant Superintendents, Deputy Superintendents and Inspectors of Police.

(Notn. No 113, dated the 5th August 1909.)

In the *Central Provinces*—All Police officers not below the rank of Sub-Inspector.

(Notn. No. 8126, dated the 6th November 1893)

(2) For some time previous to the 27th April 1907, there had been a considerable tension of feeling between the Hindus and Muhammadans at Jamalpur, in the District of Mymensingh. On the 27th April a Muhammadan was shot by a Hindu, and a serious conflict was narrowly averted by the Subdivisional Officer and the District Superintendent of Police. On the arrival of the District Magistrate in Jamalpur, on the morning of the 28th April, he received reports from the two Officers of the occurrences of the 27th April, and he was also informed that the police had reason to believe that fire-arms were stored in certain *Katcheries* belonging to Hindu zemindars. In consequence, the District Magistrate accompanied by the District Superin-

tendent of Police proceeded to search the *Katcheries*. Under the orders of the District Magistrate, the *Katcheri* of the respondent was forcibly entered, boxes forced open, and search made. On an action instituted against the District Magistrate for trespass, it was found as a fact that he had acted with perfect *bonâ fides* :—

Held (Brett J. dissenting). that according to the principles of equity, justice and good conscience, the search constituted an actionable trespass unless warranted by some Statute, and in the circumstances of the case, the search was warranted by no Statute. When Executive Officers are invested with Statutory powers of a special and drastic nature, before exercising those powers, they must strictly comply with the provisions of the Act which created them. The search being a general search for arms, was not warranted by section 25 of the Arms Act of 1878, which required that before making the search the Magistrate should first record the grounds of his belief, in terms of the section which was not done. The words "having first recorded the grounds of his belief" in section 25 are mandatory. The search was not warranted by section 105 of the Criminal Procedure Code, as, in the circumstances of the case, the Magistrate was not acting as a "Court." The search was not warranted by section 165 of the Criminal Procedure Code: that section does not apply to a Magistrate.

Semble: a general search for arms would be governed rather by the provisions of the Arms Act, than by the provisions of the Code of Criminal Procedure. The search must be taken to have been conducted by the Magistrate in his *executive* and not in his *judicial* capacity, and hence he was not protected by Act XVIII of 1850.

Per Harington and Brett JJ. The issue of a search-warrant by a competent Magistrate is a judicial act.

CLARKE *versus* BROJENDRA KISHOR ROY CHOWDHRY.
I. L. R., 36 Cal. 433.

Seizure and detention by Local Government.

26. The Local Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

Power to exempt.

27. The Governor General in Council may, from time to time by notification, published in the *Gazette of India*,—

(*a*) exempt any person by name or in virtue of his office, or any class of persons, or exclude any description of arms or ammunition, or withdraw any part of British India, from the operation of any prohibition or direction contained in this Act; and

(*b*) cancel any such notification, and again subject the persons or things or the part of British India comprised therein to the operation of such prohibition or direction.

Information to be given regarding offences.

28. Every person aware of the commission of any offence punishable under this Act shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information of the same to the nearest Police Officer or Magistrate, and

every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information to the nearest Police Officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

Sanction required to certain proceedings under section 19, clause (*f*).

29. Where an offence punishable under section 19, clause (*f*), has been committed within three months from the date on which this Act comes into force in any province, district or place to which section 32, clause 2, of Act XXXI of 1860 applies at such date, or where such an offence has been committed in any part of British India not being such a district, province or place, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the District or, in a Presidency-town, of the Commissioner of Police.

In a district where bison are notoriously in the habit of injuring crops, a license form XI, rule 16 of the Indian Arms Act, Rules (to kill wild beasts which injure crops) justifies the holder thereof in shooting bison for the sake of sport without taking out a sporting license form VIII, rule 13 of the same rules.

QUEEN *Versus* RAMMAYA,
I. L. R., 5 Mad.,

30. Where a search is to be made under the Code of Criminal Procedure, 1882, or the Presidency Magistrates Act, 1877, in the course of any proceedings instituted in respect of an offence punishable under section 19, clause (*f*), such search shall, notwithstanding anything contained in the said Code be made in the presence of some officer specially appointed by name or in virtue of his office by the local Government in this behalf, and not otherwise.

Searches in the case of offences against section 19, clause (*f*), how conducted.

In the *Madras Presidency* searches in respect of an offence punishable under section 19 (*f*) may be made in the presence of a Magistrate, an Inspector or Sub-Inspector of Police or of a head of a village. In the taluks of Calicut, Ernad and Walavanad, Malabar district, searches in respect of offences punishable under section 19 (*f*) may be made in the presence of a Magistrate, an Inspector, or Sub-Inspector of Police, a station-house officer or of a head of a village.

(Notn. Nos. 384 and 132 dated the 31st Aug. 1883 and the 14th Mch. 1885).

In other provinces searches under this section are to be made in the presence of the following officers :—

Bengal. Magistrate or a Police officer not below the grade of Inspector.

(Notn. dated the 15th Aug. 1879).

United Provinces. Magistrates, Justices of the Peace, District Superintendents, Assistant Superintendents, Deputy Superintendents, Inspectors, officers in charge of reporting stations.

(U. P. G. O. No. 3386 dated the 16th Nov. 1907).

Punjab. Police-officers of rank not below that of officer in charge of a station.

(Notn. No. 943 dated the 10th July 1907).

Burma. Magistrates, District Superintendents, Assistant Superintendents, Deputy Superintendents, and Inspectors of Police in Burma, and Sub-Inspectors of Police within the Kyanktaw, Pannagyun, Minbya, Buthidaung and Maungdaw, Townships of the Akyab district.

(Notn. No. 114 dated the 5th Aug. 1909).

Central Provinces. Magistrates and Police officers not below the rank of Sub-Inspector.

(Notn. No. 8126 dated the 6th Nov. 1893).

31. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omis-

Operation of other laws not barred.

sion which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by this Act: Provided that no person shall be punished twice for the same offence.

Power to take census of fire arms.

32. The local Government may from time to time, by notification in the local official Gazette, direct a census to be taken of all firearms in any local area, and empower any person by name or in virtue of his office to take such census.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

Notice and limitation of proceedings.

33. No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three months from the accrual of such cause.

THE FIRST SCHEDULE.

ENACTMENTS REPEALED.

(*See Section 3.*)

Number and year.	Title.	Extent of Repeal.
XVIII of 1841 ...	An Act for consolidating and amending the enactments concerning the exportation of Military Stores.	So much as has not been repealed.
XXX of 1854 ...	An Act to provide for levy of duties of Customs in the Arracan, Pegu, Martaban and Tenasserim Provinces.	In the preamble, the words "and that the exportation of munitions of war from any of these Provinces into foreign States should be prohibited." Section 11.
XXXI of 1860 ...	An Act relating to the manufacture, importation and sale of Arms and Ammunition, and for regulating the right to keep and use the same, and to give power of disarming in certain cases.	So much as has not been repealed.
VI of 1866 ...	An Act to continue Act No. XXXI of 1860 (relating to the manufacture, importation and sale of Arms and Ammunition, and for regulating the right to keep and use the same and to give power of disarming in certain cases) and for other purposes.	The whole.
III of 1872 ...	The Santhal Parganas Settlement Regulation.	So much of the schedule as relates to Act XXXI of 1860 and Act VI of 1866.
IX of 1874 ...	The Arakan Hills District Laws Regulation, 1874.	So much of the schedule as relates to Act XVIII of 1841.
XV of 1874 ...	An Act for declaring the local extent of certain enactments and for other purposes.	So much of the first schedule as relates to Act XVIII of 1841.

THE SECOND SCHEDULE.

ARMS, ETC., LIABLE TO DUTY.

[*Repealed by Act XII of 1891.*]

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

RESOLUTION.

Nos. 3052-3101-[Public].

Dated the 16th August 1909.

The Rules issued under the Indian Arms Act, 1878, were originally published with the Home Department Notification No. 518, dated the 6th March 1879. As the result of successive amendments and additions during the past thirty years, these rules have become most intricate and confusing, and it is believed that in their present form they cause inconvenience to the officers who have to administer them as well as to the public, especially to those who are connected with the trade in arms and ammunition. The Governor General in Council has therefore caused them to be codified in a clearer form. The revised rules have been circulated to local Governments and Administrations for their opinions; and a large number of minor amendments suggested by them have been adopted. The rules as finally approved by the Governor General in Council are now published for general information, in supersession of those hitherto in force. The changes which have been made in the rules are, for the most part only such as are necessary in order to make them clear or in consequence of administrative changes, such as the formation of the North-West Frontier Province, the creation of new districts in the Punjab and the formation of the province of Eastern Bengal and Assam.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

NOTIFICATION.

No. 3102-(Public).

Dated the 16th August 1909.

In exercise of the powers conferred by sections 4, 10, 11, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), and in supersession of all previous Notifications on the same subject, the Governor General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores:

Provided that all exemptions, exclusions or withdrawals made, all licenses or duplicates granted or renewed, all fees imposed, levied, remitted or reduced and all powers conferred by or under any Notification hereby superseded, and in force at the commencement of this Notification, shall, so far as they are consistent herewith, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced or conferred hereunder.

THE INDIAN ARMS RULES, 1909.

CONTENTS.

RULES.

1. Short title.
2. Interpretation.

Application of the Act.

3. Exemption, exclusion and withdrawal.
4. Extension.

Searching Posts.

5. Searching posts.

Import.

6. Restriction upon import of cannon and certain other articles.
7. Restriction upon import of arms, ammunition and military stores from Portuguese India.
8. Restriction upon import of certain rifles.
9. Import of arms, ammunition or military stores into certain ports.
10. Import of arms, ammunition or military stores by sea from Madras, Rangoon or Bombay into certain ports.
11. Import by land or river of arms, ammunition or military stores, otherwise than into Ajmer-Merwara.
12. Import of arms, ammunition or military stores into Ajmer-Merwara.
13. Scrutiny by railway authorities of consignments.
14. Production and delivery of import licenses.

Export.

15. Restriction upon export by sea of cannon and certain rifles.
16. Export by sea of arms, ammunition or military stores from and to certain ports.
17. Export by sea of arms, ammunition or military stores from certain ports to ports in Native States or foreign territory.
18. Export by land or river of arms, ammunition or military stores to Native States or out of Ajmer-Merwara.
19. Delivery of export licenses.

Transport.

20. Prohibition of transport of arms, ammunition or military stores otherwise than under license.
21. Restriction upon transport of cannon and certain other articles.
22. Transport of arms, ammunition or military stores.
23. Delivery of transport licenses.

Manufacture and Sale.

24. Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.

Possession.

25. Restriction upon possession of cannon and certain other articles.
26. Possession of fire-arms, ammunition or military stores.

Possession and Going Armed.

27. Possession of arms and ammunition and going armed for sport, protection or display.

28. Possession of arms and ammunition and going armed for the destruction of wild animals.

29. Possession of arms and ammunition, and going armed for the protection of crops.

30. Going armed on a journey.

Possession and Import or Transport.

31. Possession by dealers of certain balled ammunition, with liberty to import.

32. Possession and transport by cultivators and contractors of certain blasting material.

Applications for and Grant of Licenses.

33. Consent or previous sanction in certain cases.

34. Particulars to be stated in applications.

35. Form and language of licenses.

36. Duration and renewal oflicenses.

37. Discretion and control of authorities empowered to grant licenses.

38. Obligation to produce licenses.

Fees.

39. Fees payable for licenses.

40. Fees payable for duplicates.

41. Collection and refund of fees.

THE SCHEDULES.

THE RULES.

Short Title.

1. The rules may be called the Indian Arms Rules, 1909.

Interpretation.

2. In these rules, unless there is anything repugnant in, the subject or context—

(*a*) all words and expressions, which are defined in the General Clauses Act, 1897, shall have the meanings respectively assigned to them thereby; and the provisions

of sections 9, 10 and 13 to 19 of the said Act shall be deemed to apply as if these rules were an enactment made by the Governor General in Council after the commencement of the said Act.

(*b*) all references to the "Magistrate of the District" shall, in the case of Aden, be constructed as referring to the Assistant Resident.

Application of the Act.

Exemption, exclusion and withdrawal.

3. (1) Under section 27,—

(*a*) the persons and classes of persons,

(*b*) the arms and ammunition, and

(*c*) the parts of British India,

specified or described in Schedules I to IV are, respectively exempted, excluded and withdrawn, to the extent there indicated, from the operation of prohibitions and directions contained in the Act.

(2) . . . . .

Extension.

4. For the purposes of the definition of "military stores" contained in section 4, all sections of the Act are extended, throughout British India, to all lead, sulphur and saltpetre.

Searching Posts.

Searching posts.

5. For the purposes of section 11, searching posts shall be established at the land custom-houses between British India and—

(*a*) the French Settlements on the eastern and western coasts, and

(*b*) the Portuguese Settlements on the western coast.

LIST SHOWING THE RULES UNDER WHICH THE LICENSE FORMS ARE PRESCRIBED.

Form I	prescribed	under	rules	6,		21 and 25
II	,,	,,	,,	9		and 10.
III	,,	,,	,,	11.		
IV	,,	,,	,,	12.		
V	,,	,,	,,	16.		
VI	,,	,,	,,	17.		
VII	,,	,,	,,	18.		
VIII	,,	,,	,,	22.		
IX	,,	,,	,,	32	(1).	
X	,,	,,	,,	32	(2).	
XI	,,	,,	,,	24	(1)	(*a*).
XII	,,	,,	,,	24	(1)	(*b*).
XIII	,,	,,	,,	24	(2)	(*a*).
XIV	,,	,,	,,	24	(2)	(*b*).
XV	,,	,,	,,	26.		
XVI	,,	,,	,,	27.		
XVII	,,	,,	,,	28.		
XVIII	,,	,,	,,	29.		
XIX	,,	,,	,,	30.		

Import.

Restriction upon import of cannon and certain other articles.

6. (*1*) A license for the import of—

(*a*) cannon,

(*b*) articles designed for torpedo service,

(*c*) war-rockets, or

(*d*) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(*2*) A copy of every license granted in accordance with sub-rule (*1*) shall be forthwith sent—

(*a*) where the articles are consigned to a Presidency-town or Rangoon, to the Commissioner of Police, or

(*b*) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

Restriction upon import of arms, ammunition and military stores from Portuguese India.

7. A license shall not be granted for the import of any arms, ammunition or military stores from Portuguese India.

Restriction upon import of certain rifles.

8. (*1*) A license shall not be granted for the import by sea or river or land—

(*a*) of rifles of ·303 or of ·450 bore or parts of or fittings for rifles of such bores or, save as otherwise provided by rule 31, of ammunition which can be fired from such rifles;

(*b*) save by special order certified under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department, of rifles, or parts of or fittings for rifles, of any other bore;

(c) of any ~~fire~~-arms or ammunition into ~~Burma~~ India through the medium of the Post Office.

(2) Nothing in sub-rule (*1*), clause (*b*), shall be deemed to limit or otherwise affect the power to grant, save as otherwise provided by rule 7, a license for the import of rifles, or parts of or fittings for rifles, which, in the opinion of the authority granting the license, are intended in good faith for sporting purposes.

---

(1) The Government of India have decided that licenses shall not in future be required in the case of re-importation of rifles of certain military patterns, and that it may be left to the Customs authorities to give the necessary permission to re-import, a reference being made to the Local Government in doubtful cases. The following conditions have accordingly been laid down to govern cases of re-importation, and, subject to them, the Customs authorities have discretion to admit weapons of the classes referred to:

(1) that the examination of the arms at the Customs House at the time of export shall be compulsory;

(2) that, as a general rule, export passes giving a full description of the weapons to be exported shall be obtained from the Collector of Customs by the person exporting the weapons;

(3) that these passes shall be accepted by the Collector of Customs as the best proof of export on the weapons being satisfactorily identified at the time of re-importation; and

(4) that in cases in which such export passes have not been obtained, it will rest with the Collector of Customs personally to accept such other proof of export as he may consider reasonable and proper.

The Chief Collector of Customs will submit a monthly return of all weapons re-imported under the above orders.

(Burma Govt. Judl. Dept. Cir. No. 42, 1903.)

(2) Rifles of prohibited bores imported into India by travellers and detained by the Collector of Sea Customs should be sent at the owner's expense to the port from which he intends to leave India, there to be kept in bond until claimed by him, provided that the Customs Officer is satisfied that the importation was made in ignorance of the prohibitions in force and that that the importer is a *bona fide* traveller whose stay in this country will not exceed a reasonable time.

[Home Dept. letter No. 794, dated the 26th Mch. 1908.]

(3) * * * * * *

2. In 1897 the Government of India decided that all rifled arms which are fitted for a bayonet or sighted beyond a range of 300 yards or which take Government ammunition shall be considered as rifles capable of being used for military purposes and that a special order under rule VI-5 shall be required for their importation.

3. The Government of India have recently considered the question whether a rifle taking the Government Martini cartridge which is not one of the bores mentioned in the note to rule VI-5 and which is fitted and sighted for sporting purposes should be regarded as coming within the exception as to sporting purposes, and have decided that in the case of such rifles the Maritime Local Governments may be authorised to interpret the words "reasonably be held" in rule VI-5 and to determine in each case whether the weapons are intended for *bona fide* sporting purposes and may therefore be licensed under rule VI-6. The Governments of Madras, Bombay, Bengal and Burma have accordingly been empowered to authorise the importation of the rifles of the above description intended for *bona fide* sporting purposes, provided that in the case of weapons intended for a Prince or a subject of a Native State the sanction should not be given without first referring to the Government of India in the Foreign Department.

(Home Dept. letters Nos. 1928-31, dated the 15th Sep. 1904.)

(4) The following summary of the orders relating to the restrictions and conditions under which rifles may be imported is published for general information in supersession of Judicial Department Circular No. 9 of 1903 as amended by Judicial Department Circular No. 45 of 1906.

2. Under section 6 of the Indian Arms Act, 1878, no person may bring by sea into British India any rifle except under a license. This prohibition does not apply to rifles imported in reasonable quantities for his own private use by any person lawfully entitled to possess them, *i.e.*, by any person who is exempted from section 14 of the Act in respect of such rifles or who is licensed under that section to possess such rifles.

3 * * * * * *

4 * * * The Local Government is empowered to decide what rifles may reasonably be held to be intended for *bona fide* sporting purposes and to sanction the importation of any rifles, even though of a military character, except weapons intended for a prince or subject of a native State if it in fact believes them to be so intended. No license, however, will be granted for the importation of any rifles of ·303 or ·450 bore.

5. A person exempted from the provisions of section 14 of the Indian Arms Act, 1878, is entitled under section 6 of the Act to import in reasonable quantities without a license rifles for his own private use, whether they are capable of being used for military purposes or not. It has been decided that one weapon constitutes the reasonable quantity of rifles of a military character which may be so imported by any one person. Any such rifle must be

imported by the exempted person himself. It may be imported through an agent if it is consigned to the exempted person direct. If the weapon is consigned to an agent, it may not be imported unless the latter obtains a certificate from the exempted person that the rifle is *bona fide* his property and the agent merely clears it at the Custom-house and forwards it to him. In the case of sporting rifles other than rifles capable of being used for military purposes, the number which constitutes a reasonable quantity to be imported by an exempted person has not been defined, but the Collector of Customs may take the orders of the Local Government in any particular case.

6. The effect of these orders is as follows:—

Subject to the single exception referred to in paragraph 3, rifles of ·303 or ·450 bore may not be imported at all. A person exempted from the provisions of section 14 of the Arms Act may import one military rifle other than a rifle of the prohibited bores without license and without an order of Government, provided that he brings it into India himself for his own private use. He may not import more than one military rifle without the sanction of the Local Government, but he may import for his own private use any reasonable number of sporting rifles. It must be borne in mind, however, that exempted persons of certain classes are permitted to carry or possess one rifle only in virtue of such exemption. An exempted person who is subject to this restriction cannot import a second rifle unless he first obtains a license to possess such second rifle. A person who is licensed to possess a specified weapon is permitted to import it without an import license. A license to possess with a view to importation should not therefore be granted without the orders of the Local Government in respect of any rifle which might possibly be held to be a military weapon, and no license should under any circumstances, be issued to permit the importation of a rifle of ·303 or ·450 bore. A person not exempted from the provisions of section 14 of the Arms Act may import one rifle of a military character if the Local Government declares it to be intended for *bona fide* sporting purposes and authorises the Commissioner of Police or the District Magistrate, as the case may be, to issue an import license. In the absence of such a declaration, the sanction of the Government of India is necessary. The Commissioner of Police or the District Magistrate may license the importation by such person of any reasonable number of sporting rifles. The Commissioner of Police or District Magistrate will in such cases exercise his discretion as to what is a reasonable number. Any person who imports rifles of any description for sale must first obtain a license authorizing him to do so.

(Burma Govt. Judl. Dept Cir. No. 61 of 1906.)

Import of arms, ammunition or military stores into certain ports.

9. (1) Save as otherwise provided by rules 6 to 8, a license may, subject to the provisions of sub-rule (2) be granted for the import by sea:—

(*a*) of arms, ammunition or military stores, at any Presidency-town and at Rangoon by the Commissioner of Police;

(*b*) of arms, ammunition or military stores, at the ports of Calicut, Karachi and Aden by the District Magistrate;

(*c*) of saltpetre or lead, at the ports of Akyab and Moulmein by the District Magistrate; and

(*d*) of sulphur in reasonable quantities proved to the satisfaction of the Government of Madras to be required in good faith for medicinal, manufacturing or agricultural purposes, in respect of the port of Tuticorin by the said Government.

(2) All arms, ammunition or military stores imported into Aden shall be:—

(*a*) landed at the Abkari Pier at Tawahi only, and

(*b*) removed thence by the importer to such Government warehouse as the Resident may, from time to time appoint in this behalf.

Import of arms, ammunition or military stores by sea from Madras, Rangoon or Bombay into certain ports

10. Save as otherwise provided by rules 6 to 8, a license for the import by sea of arms, ammunition or military stores:—

(*a*) from the port of Madras into the port of Tuticorin, Cochin, Bimlipatam, Coconada, Negapatam, Mangalore, Gopalpore, Vizagapatam, Pamban or Masulipatam, or

(*b*) from the port of Rangoon into the port of Akyab, Moulmein, Sandoway, Kyaukpyu, Tavoy or Mergui,

(c) from the port of Bombay into the port of Cochin or Mangalore, may be granted by the Magistrate of the district in which the port of import is situated.

Import by land or river of arms, ammunition or military stores, otherwise than into Ajmer-Merwara.

11. (1) Save as otherwise provided by rules 6 to 8, and subject to the provisions of rule 33, sub-rule (2), a license for the import by land or river, otherwise than into Ajmer-Merwara, of arms, ammunition or military stores may be granted,

(a) where the arms, ammunition or stores are consigned to a Presidency-town or to Rangoon, by the Commissioner of Police, or

(b) where they are consigned to any other place, by the Magistrate of the district in which such place is situated.

(2) Where arms belonging to any person who—

(a) resides in a Native State in India, and

(b) is exempted under schedule I from the necessity for taking out a license in respect of such arms,

are imported solely for the purpose of repair, the Political Agent for such State may grant a similar license, which shall also cover the re-export to such State of such arms.

(3) Where the arms, ammunition or stores are imported from a Native State, a copy of the license shall be forthwith sent to the Political Agent for such State.

(4) Where the arms, ammunition or stores are imported by road or river and consigned to a district not on the frontier of British India, a copy of the license shall be forthwith sent to the Magistrate of the district into which they cross such frontier; and

such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(5) Where the arms, ammunition or stores are imported by rail, a copy of the license shall be forthwith sent by the authority granting it to the railway authorities at the place to which such arms, ammunition or stores are consigned.

Import of arms, ammunition or military stores into Ajmer-Merwara.

12. (*1*) Save as otherwise provided by rules 6 to 8, a license for the import into the district of Ajmer-Merwara of arms, ammunition or military stores may be granted —

(*a*) under the signature of the Secretary to the Government of India in the Foreign Department, or

(*b*) under the signature of a Secretary to the Government of Bombay, provided that the ammunition is *bona fide* required for the exclusive use of the Rajputana-Malwa Railway ; and that the application for such license is made by a responsible officer of the said Railway, or

(*c*) by any other officer specially empowered by the Government of India in this behalf.

(*2*) A copy of every license granted under sub-rule (1) shall be forthwith sent to the Commissioner of the district of Ajmer-Merwara.

(3) Where the arms, ammunition or stores are imported by rail, a copy shall be forthwith sent by the officer granting the license to the railway authorities at the place to which such arms, ammunition or stores are consigned.

Scrutiny by railway authorities of consignments.

13. (*1*) The railway authorities, to whom a copy of a license has been sent under rule 11, sub-rule (5), or rule 12, sub-rule (*3*),

shall require the consignee to produce the original license and shall satisfy themselves—

(*a*) that the arms, ammunition or stores claimed by him, correspond with the description given in such license and

(*b*) that such license is identical in substance with the copy sent to them.

(2) Where, in any case referred to in sub-rule (1)—

(*a*) the consignee fails to produce the original license, or

(*b*) the arms, ammunition or stores claimed by him do not correspond with the description given in such license, or

(*c*) the license is not identical in substance with the copy sent to the railway authorities,

such authorities shall not deliver the consignment and shall forthwith inform the nearest Magistrate.

Production and delivery of import licenses.

14. (1) The consignee of arms, ammunition or military stores imported under a license shall,

(*a*) where the consignment crosses the frontier by land or river, produce the license, within six days of such crossing, before the Magistrate of the district into which the consignment so crosses, or other officer empowered by him in this behalf; and

(*b*) in any case in which the consignment is imported by land or river, deliver the license, within six days of the arrival of such consignment at its destination—

(*i*) in any Presidency-town or Rangoon, to the Commissioner of the Police, or

(*ii*) in any other place, to the Magistrate of the district.

(2) Every officer before whom a license is produced or to whom a license is delivered under sub-rule (1) shall satisfy himself—

(*a*) that the arms, ammunition or stores correspond with the description given in the license; and

(*b*) that any deficiency is properly accounted for.

Export.

Restriction upon export by sea of cannon and certain rifles.

15. (1) A license shall not be granted, save by special order certified under the signature of a Secretary to the Government of India in the Home Department or, so far as the District of Ajmer-Merwara is concerned, in the Foreign Department, for the export by sea of—

(*a*) cannon, or

(*b*) save as otherwise provided in sub-rule (2) rifles, or parts of or fittings for rifles.

(2) Nothing in sub-rule (1), clause (*b*), shall be deemed to limit or otherwise affect the power to grant a license for the export by sea of rifles, or parts of or fittings for rifles which, in the opinion of the authority granting the license, are intended in good faith for sporting purposes.

Export by sea of arms, ammunition or military stores from and to certain ports.

16. (1) Save as otherwise provided by rule 15, a license for the export by sea of arms, ammunition or military stores may, subject to the provisions of sub-rules (2) and (4), be granted—

(*a*) at the port of any Presidency-town or Rangoon, by the Commissioner of Police, or

(*b*) at the port of Calicut, Karachi or Aden, by the Magistrate of the district.

(2) Save as otherwise provided in sub-rule (3), every license granted under sub-rule (1) shall be for export either—

(*a*) subject to the provisions of rule 33, sub-rule (2), to such of the ports mentioned in clause (*a*) or clause (*b*) of sub-rule (1), or

(*b*) from the port of Madras to such of the ports mentioned in rule 10 (*a*), or

(*c*) from the port of Rangoon to such of the ports mentioned in rule 10 (*b*), or

(*d*) from the port of Bombay to such of the ports mentioned in rule 10 (*c*), or

(*e*) to such other place in His Majesty's dominions outside India,

as may be specified or described therein.

(3) A license may be granted at any of the ports mentioned in clause (*a*) or clause (*b*) of sub-rule (1) for the export by sea of saltpetre or lead to the ports of Akyab or Moulmein.

(4) A copy of every license of the nature referred to in clauses (*a*) (*b*) (*c*) and (*d*) of sub-rule (2) and in sub-rule (3) shall be forthwith sent—

(*a*) where the arms, ammunition or stores are consigned to any Presidency-town or Rangoon, to the Commissioner of Police, or

(*b*) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

Export by sea of arms, ammunition or military stores from certain ports to ports in Native States or foreign territory.

17. (1) A license may be granted under the signature of the Secretary to the Government of India in the Foreign Department, or by the officers enumerated in column 1 of Schedule V from the ports mentioned in column 2 to the ports mentioned in column 3, and subject to the conditions mentioned in column 4 in each case, for the export by sea of arms other than—

(*a*) cannon, or

(*b*) such rifles or parts of or fittings for rifles as fall within the restriction imposed by rule 15,

or for the export by sea of ammunition or military stores from any of the ports of Madras, Bombay, Calcutta, Rangoon, Calicut, Karachi, or Aden—

(*i*) to any port in any Native State in India, or

(*ii*) subject to the provisions of sub-rule (3) to any port, other than a British port, in any other foreign territory.

(2) A license shall not be granted under sub-rule (1) for export to any such port on the sea-board of Arabia as is referred to in clause (*ii*) of that sub-rule, other than a port in the political charge of the Resident—

(*a*) at Aden,

(*b*) in the Persian Gulf, or

(*c*) in Turkish Arabia.

(3) A copy of every license issued under this rule for the export of arms, ammunition or military stores to any port in a Native State in India or to any port in the political charge of the Resident at Aden or of the Political Resident in the Persian Gulf, or of the Political Resident in Turkish Arabia shall be sent forthwith by the authority granting it to the Political Agent, Resident (unless the Resident at Aden be the authority granting the license), or the Political Resident concerned, and such Political Agent, Resident or Political Resident may, in his discretion, require the licensee or his agent to produce the arms, ammunition or military stores covered by such license for his inspection before permitting them or it to be delivered to the consignee.

(4) The authority granting a license under this rule shall also send a copy of such license to the agents or master of the vessel by which it is intended that the arms, ammunition or military stores covered by the license shall be shipped to the port of destination, and such agents or master shall not receive for

despatch any case or package containing arms, ammunition or military stores unless such case or package is accompanied by the original license, and shall satisfy themselves or himself—

(*a*) that the arms, ammunition or stores correspond with the description given in such license, and

(*b*) that such license is identical in substance with the copy sent to them or him.

(5) Where in any case referred to in sub-rule (5)—

(*a*) the case or package is not accompanied by the original license, or

(*b*) the arms, ammunition or stores contained therein do not correspond with the description given in such license, or

(*c*) the license is not identical in substance with the copy sent to them or him, such agents or master shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

Export by land or river of arms, ammunition or military stores, to Native States or out of Ajmer-Merwara.

18. (1) A license for the export by land or river—

(*a*) of arms, ammunition or military stores to any place beyond the frontier of British India, or

(*b*) of arms, ammunition or military stores out of the district of Ajmer-Merwara, may be granted—

(*i*) under the signature of the Secretary to the Government of India in the Foregin Department, or

(*ii*) by the officers enumerated in column 1 of Schedule VI for the places mentioned in column 2 and subject to the conditions mentioned in column 3 in each case.

(2) A license for the export by land or river of arms, ammunition or military stores to any Native State in the political charge of the Government of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab or Eastern Bengal

and Assam, or of the Chief Commissioner of the Central Provinces may be granted under the signature of a Secretary to such Government or such Chief Commissioner, respectively, or by such other officer as may be empowered by the Government of India in this behalf.

Foregin Dept. cir. No. 3762-I., dated the 6th Nov. 1885.

Home Dept cir. No. 4035-38, dated the 8th June, 1901.

A yearly return showing all arms, ammunition, and military stores exported under licenses granted under sub-rule (1), clause (*ii*), and sub-rule (2) shall be submitted by the officer, Government, or Chief Commissioner, as the case may be, and such return shall contain full particulars in respect of the calibre of every rifle and of all rifle ammunition exported to any Native State.

---

(3) Where any arms, ammunition or stores exported under a license granted under this rule are exported to a Native State, a copy of such license shall be forthwith sent to the Political Agent for such State.

(4) Where the arms, ammunition or stores are exported by road or river, a copy of the license shall be forthwith sent to the Magistrate of the district out of which they cross the frontier of British India ; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(5) Where the arms, ammunition or stores are exported by rail, a copy of the license shall be forthwith sent by the authority granting it,—

(*a*) in the case of a consignment despatched from a Presidency-town or from Rangoon, to the Commissioner of Police, and,

(*b*) in all other cases, to the Magistrate of the district from which the consignment is to be despatched.

(6) The Commissioner of Police or Magistrate of the district shall forthwith send a copy to the railway authorities at the place

from which the consignment is to be despatched; and the railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original license and shall satisfy themselves—

(*a*) that the arms, ammunition or stores correspond with the description given in such license, and

(*b*) that such license is identical in substance with the copy sent to them.

(7) Where in any case referred to in sub rule (6)—

(*a*) the case or package is not accompained by the original license, or

(*b*) the arms, ammunition or stores contained therein do not correspond with the description given in such license, or

(*c*) the license is not idential in substance with the copy sent to them,

such authorities shall not receive the consignment for despatch and shall forthwith inform the nearest Magistrate.

Delivery of export licenses.

19. (1) Where any arms, ammunition or military stores are exported by road or river,—

(*a*) the consignee, or

(*b*) if the arms, ammunition or stores are in charge of any person travelling with them, such person

shall, within six days of the arrival of the consignment in the district out of which it is to cross the frontier and before it so crosses, deliver the license to the Magistrate of such district or other officer empowered by him in this behalf.

(2) Every officer to whom a license is delivered under sub-rule (1) shall satisfy himself—

(*a*) that the arms, ammunition or stores correspond with the description given in the license, and

(*b*) that any deficiency is properly accounted for.

---

(1) No license is required for the export of arms, ammunition or military stores issued to Native States from British arsenals under the orders of Government. Each consignment however should be covered by a certificate signed by the officer in charge of the arsenal to the effect that it is exported by order of Government under section 1 (b) of the Act.

(For. Dept. No. 1816-I., dated the 2nd June 1890.)

(2) It is a matter of the greatest importance that effectual measures should be taken to prevent arms exported for retail sale in a Native State from getting into the hands of persons unfit to possess such weapons: but after a license for a consignment has been given, it is practically impossible to secure any control over the ultimate disposal of the arms covered by it. It is not, therefore, thought advisable that the export of rifles, guns and revolvers for sale in Native States should ordinarily be permitted, except under the restriction mentioned below.

Political officers should be instructed not to give in future certificates of their consent to intending importers of arms without first satisfying themselves that the arms are actually required for the personal use of some ponsible and respectable person who would be entitled to possess them der the Arms Act rules if he were in British India. In large cantonts such as Secunderabad, Mhow, &c., it will not be practicable, and in e cases perhaps not desirable, to enforce this restriction so unreservedly n Native States proper, but even there the local authorities should be reful in the matter of granting certificates for the import of arms; and is presumed that in all such cantonments there will always be some itrol over the sale of any arms that may be imported.

(For. Dept. No. 2735-I., dated the 8th July 1889.)

(3) *Vide* note (3) to rule 23.

Transport.

Prohibition of transport of arms, ammunition or military stores otherwise than under license.

20. (1) Save as herein otherwise provided, the transport of any description of arms, ammunition or military stores is prohibited over the whole of British India, except under a license and to the extent and in the manner permitted by such license.

(2) Subject to the provisions of rule 33, nothing in sub-rule (1) shall be deemed to apply to—

(*a*) arms, ammunition or military stores which are covered by a license for their import or export and are being transported in accordance with such license—

(*i*) from the port or other place of import to the place of destination in British India ;

(*ii*) from the place of despatch in British India to the port or other place of export ;

(*iii*) in the port of import and re-export during transhipment.

(*b*) arms, ammunition or military stores transported—

(*i*) by any person, licensed to possess such articles or exempted from the liability to obtain such a license, in reasonable quantities for his own use from the premises of a licensed dealer, or

(*ii*) by a licensed dealer, in a case or package legibly addressed to such a person as is referred to in clause (*i*), in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use ; or

(*c*) arms and ammunition transported, in reasonable quantities for his own use, by any person lawfully entitled to possess arms or to go armed.

(For the definition of the term "lawfully entitled to possess" see note (2) to section 6 of the Act.)

Restriction upon transport of cannon and certain other articles.

21. (1) A license for the transport of—

(*a*) cannon,

(*b*) articles designed for torpedo service,

(*c*) war-rockets, or

(*d*) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foreign Department.

(2) A copy of every license granted in accordance with sub-rule (1) shall be forthwith sent—

(*a*) where the articles are consigned to a Presidency-town or Rangoon, to the Commissioner of Police, or

(*b*) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

Transport of arms, ammunition or military stores.

22. (1) Save as otherwise provided by rule 21, and subject to the provisions of rule 33, sub-rules (2) and (3) and rule 36, sub-rule (2), a license for the transport of arms, ammunition or military stores may be granted—

(*a*) where the arms, ammunition or stores are consigned from a Presidency-town or from Rangoon, by the Commissioner of Police, or

(*b*) where they are consigned from any other place, by the Magistrate of the district in which such place is is situated,

(*c*) where they are consigned from any place in Baroda to any other place in Baroda separated therefrom by British Indian territory, by the Resident or Assistant Resident in Baroda.

(2) A copy of every license granted under sub-rule (1) for transport beyond the local limits of the authority of the officer granting it shall be forthwith sent—

(*a*) where the arms, ammunition or stores are consigned to any Presidency town or Rangoon, to the Commissioner of Police, or

(*b*) where they are consigned to any other place, to the Magistrate of the district in which such place is situated.

(3) A copy of every license granted under sub-rule (1) by the Magistrate of a district for transport within the limits of such district shall be forthwith sent to the subordinate Magistrate (if any) having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the license shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not leave the railway premises unless the railway police or, if there are no railway police, the railway authorities have satisfied themselves that the arms, ammunition or military stores correspond with the description given in the license.

Delivery of Transport licenses.

23. (1) The consignee of any arms, ammunition or military stores transported by land or river under a license, ~~other than a general license granted under rule 32, sub-rule (2)~~, shall deliver the license, within six days of the arrival of the consignment at its destination,—

(*a*) in any Presidency-town or Rangoon, to the Commissioner of Police, or

(*b*) in any other place, to the District Magistrate having jurisdiction over the place of destination or such other Magistrate as he may appoint for this purpose.

(2) Any officer to whom a license is delivered under sub-rule (1) shall satisfy himself—

(*a*) that the arms, ammunition or military stores correspond with the description given in the license, and

(*b*) that any deficiency is properly accounted for,

and any subordinate Magistrate, to whom a license is delivered under clause (b) of that sub-rule, shall return it to the Magistrate of the district.

---

(1) Although the word "transport" as used in the Indian Arms Act, XI of 1878, would, in a certain sense, include every movement from place to place, yet the Government of India consider that, looking to the general objects of the Act, and the difficulties which might result from construing the word in its widest sense, it is reasonable to attach to it a more restricted meaning, which it would not, perhaps, be easy to define precisely, but which would certainly not include such movement as the removal of arms from a warehouse to a shop in the same town, or the landing of arms imported. Under such restricted interpretation of the term no license is required for the removal of ammunition from one magazine and warehouse to another in the same locality.

(Home Dept. No. 38-2955 dated the 9th Nov. 1888.)

(2) In order to avoid the possibility of transport licenses being used more than once, the time for which such licenses are valid should invariably be entered in the proper column of the license. The time allowed, specially in the case of arms, ammunition or military stores licensed for transport through any part of British India to the frontier, should be carefully restricted to such period as may be considered reasonable.

(Home. Dept. letter No. 44—1737 dated the 23rd Sept. 1879.)

(3) In the transmission of arms, ammunition and military stores from one British district to another through foreign territory the procedure prescribed is that both an export and an import license, in the regular form, should be taken out—the export license for the transmission of the consignment to foreign territory, and the import license to cover its reconveyance into British territory.

Whenever such a case may arise a copy of the original license for export should be communicated to the Magistrate of the place to which the consignment is ultimately destined.

(For. Dept. No. 2864-I., dated the 29th June 1887.)

Manufacture and sale.

24. (1) A license—

Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.

(*a*) to manufacture, convert, sell or keep and sell, or

(*b*) to keep and sell

any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2) be granted—

(*i*) in any Presidency-town or Rangoon, by the Commissioner of Police, or

(*ii*) in any other place, by the Magistrate of the district.

(2) A license—

(*a*) to manufacture, convert, sell or keep and sell, or

(*b*) to keep and sell

breech-loading rifles, rifle ammunition or military stores for rifles shall not be granted save—

(*i*) by the local Government, or

(*ii*) in Sind, by the Commissioner in Sind.

(3) The local Government or the Commissioner in Sind may, by licenses granted by it or him under this rule, authorize selected dealers to keep and sell a specified amount of ammunition for rifles of ·303 or of ·450 bore:

Provided that the licensee shall not sell from his stock to any person who does not hold—

(*a*) a license to possess such ammunition, or

(*b*) a license for the export of balled ammunition from a Native State granted by a Political Officer under the third proviso to the second paragraph of the Resolution of the Government of India in the Foreign Department, No. 3001 I.-A., dated the 27th June 1903.*

(4) Every Magistrate and every Police officer not below the rank of Inspector, or, if the local Government so directs, of Sub-Inspector may, within the local limits of his authority,—

(*a*) enter and inspect any premises in which arms or ammunition or military stores, including sulphur, are manufactured, converted, sold, or kept and sold, and

(*b*) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

---

(1) * * * * * *

2. *The Governor-General in Council is, therefore, pleased under rule 7 of paragraph VI of the Notification of the Government of India in the Home Department, No. 518, dated the 6th March 1879, and subsequently amended, and in supersession of Resolution No. 3129 I.-A., dated the 19th August 1901 :—

(to empower * * * *Vide* Schedule VI.)

(2) to remit the fee of Rs. 5, in the case of arms and ammunition exported for the personal use of persons of the classes mentioned in paragraph 1 of the same Notification :

Provided that the power thus conferred upon Political Officers shall not extend—

(*a*) to cannon ; or

(*b*) to military stores of any kind other than sulphur ; or

(*c*) save as hereinafter provided, to rifles of the ·303 bore and of the 450 bore of the Martini-Henry pattern ; or

(*d*) save as hereinafter provided, to balled ammunition which can be fired from rifles of the bores and pattern specified in sub-head (*c*) ;

Provided, secondly, that, notwithstanding anything contained in sub-head (*c*) of the first proviso, licenses for the export of rifles of the bores and pattern there specified may be granted to persons of the classes mentioned in paragraph 1 of the Notification above cited, subject to the condition that the rifles must either have been in India on the 20th February 1901, or have since been imported with the special sanction of the Government of India :

Provided, thirdly, that, notwithstanding anything contained in sub-head (*d*) of the first proviso, licenses for the export of cartridges of the nature therein specified may be granted to persons of the classes mentioned in the Notification above cited, subject to the conditions that the number of such cartridges does not exceed two hundred in any one year and that they are for the personal use of the licensees.

3. The Commissioners of Police in Madras and Bombay, the Deputy Commissioner of Police in Calcutta, and the other officers, to whom authority has been delegated under Rule 7 of the Arms Act Rules, will retain the power which they now possess to grant licenses under prescribed conditions for the export of arms and ammunition to the Native States ; but in future no such officer may grant a license for the export to a Native State of any arms for the import of which into India a special order of the Government of India in the Home Department is required, unless the arms were in India on the 20th February 1901, or have since been imported with the special sanction of the Government of India, and are required for the personal use of persons of the classes mentioned in paragraph I of the same Notification.

(For. Dept. resn., No. 3001 I-A., dated the 27th June 1903.)

(2) The selected dealers referred to in rule 24 (3) shall not be permitted to keep in stock at any one time more than 25000 rounds collectively of the ammunition for rifles of prohibited bores and their books will be open to inspection and their sales liable to comparison with the number of licenses for possession issued to individuals.

This 25000 rounds mentioned is not an annual quantity, but the maximum quantity of ammunition of the prohibited bores which any dealer can be permitted to hold at any one time. This quantity is the "collective total" of the three kinds of ammunition.

(Home Dept. letter No. 906, dated the 20th Feb. 1901.)
" " 5672, dated the 18th Oct. 1901.)

Possession.

Restriction upon possession of cannon and certain other articles.

25. (1) A license for the possession of—

(*a*) cannon,

(*b*) articles designed for torpedo service,

(*c*) war-rockets, or

(*d*) machinery for the manufacture of arms or ammunition,

shall not be granted save under the signature of a Secretary to the Government of India in the Home Department or, so far as the district of Ajmer-Merwara is concerned, in the Foriegn Department.

(2) A copy of every license granted in accordance with sub-rule (1), shall be forthwith sent—

(*a*) where the articles are to be kept in any Presidency-town or Rangoon, to the Commissioner of Police ; or

(*b*) where they are to be kept in any other place, to the Magistrate of the district.

Possession of fire-arms, ammunition or military stores.

26. Save as otherwise provided by rule 25 and rule 33, sub-rules (2) and (4), a license for the possession only of fire-arms, ammunition or military stores may be granted by the Magistrate of any district, or in the Presidency-towns or Rangoon by the Commissioner of Police.

Possession and Going Armed.

Possession of arms and ammunition and going armed for sport, protection or display.

27. (1) Save as otherwise provided in rule 25 and rule 33, sub-rules (2) and (4), a license for the possession of arms and ammunition in reasonable quantities and for going armed for the purposes of sport, protection or display may, subject to the provisions of sub-rules (4) and (5) of this rule, be granted—

(*a*) in any Presidency-town or Rangoon, by the Commissioner of Police, or

(*b*) in any other place, by the Magistrate of the district,

provided that no license shall be granted for the possession of rifles of the ·303 or ·450 bore or ammunition for the same, or for going armed with such rifles, unless such rifles and ammunition have been lawfully imported into British India.

(2) A license granted under sub-rule (1) shall on countersignature—

(*a*) by the Commissioner, or

(*b*) where there are no Commissioners, by such other officer as the local Government may empower in this behalf,

be valid for such divisions or districts within the Province as as he may specify.

(3) In places to which section 15 applies, a license may be granted under sub-rule (1) to the heir or successor of any person to whom arms have been presented by or under the orders of the Government, in respect of such arms.

(4) A license may be granted under sub-rule (1) for the possession of reasonable quantities of balled ammunition which can be fired from rifles of ·303 or ·450 bores to any person lawfully in possession for sporting purposes of a rifle of such bore.

(5) On every license of the nature referred to in sub-rule (4), there shall be entered the amount of balled ammunition which the licensee may possess during the period of twelve months next ensuing.

Licenses for the possession of more than one revolver of European manufacture or magazine pistol should not be issued to a non-exempted person * * *

A District Magistrate can give a license for the possession of a rifled revolver without the previous sanction of the Board of Revenue in Madras, Chief Commissioner of Coorg and of the Commissioner of a Division in other provinces.

(Home Dept., letter Nos. 6315-6324, dated the 13th Dec. 1901.)

(2) No officer has been authorized by Government of Madras to countersign licenses in view to give them validity for all the districts in the Presidency. The proper course is for the applicant to obtain the countersignature of the Magistrates of the various districts in which he desires his license to be in force, or to take out a fresh license for each district.

(G. O. No. 192. dated the 8th Feby. 1882.)

(3) The Commissioner of Police, Bombay, has been authorized to countersign licenses granted by him for the city of Bombay in order to render them valid for all the districts of the Presidency.

(Notn. No. 6344, dated the 14th Novr. 1892.)

(4) In order to enable persons who are already in possession of such weapons (rifles of prohibited bores) to obtain cartridges for their use, the Governor-General in Council has decided that they may be allowed to possess such ammunition to the extent of 200 rounds annually, for each class of rifle, subject to the condition that they should obtain under the new rule 13-B., a license which should be made over to the selected dealer referred to in the

new clauses added to rule 11. This provision will apply to all persons whether exempted or not, but in the case of exempted persons the license will be granted free of license fee.

(Home Dept., Nos. 906-912, dated the 20th Feby. 1904)

(4) The prohibition against the possession of ammunition shall be confined absolutely to ammunition of ·303 and ·450 bore.

(Home Dept., No. 3495, dated the 20th Decr. 1902)

Possession of arms and ammunition and going armed for the destruction of wild animals.

28. Save as otherwise provided by rule 33, sub rules (2) and (4), a license for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted by the Magistrate of any district.

Possession of arms and ammunition and going armed for the protection of crops.

29. Save as otherwise provided by rule 33, sub-rules (2) and (4), a license for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to crops or cattle may be granted by the Magistrate of any district:

Provided that such license—

(*a*) shall only be granted to *bonâ fide* cultivators;

(*b*) shall be valid only for the place or tract specified in the license by the licensing officer.

Going armed on a journey.

30. (1) Save as otherwise provided by rule 33, sub rules (2) and (4), a license for going armed on a journey in or through any Province may be granted—

(*a*) in any Presidency-town or Rangoon, by the Commissioner of Police;

(*b*) in any other place, by the Magistrate of the district: or

(*c*) in the case of a person residing in any Native State in India, by the Political Agent for such State.

(2) Where a Commissioner of Police or Magistrate of a district receives an application for a license of the nature referred to in sub-rule (1) from any person who—

(*a*) is not resident within the local limits of his authority: or

(*b*) is not personally known to him, he shall, before granting the license, ascertain —

(*i*) when the applicant resides in any Presidency-town or Rangoon, from the Commissioner of Police,

(*ii*) when the applicant resides in any other place in British India, from the Magistrate of the district, or

(*iii*) when the applicant resides in any Native State in India, from the Political Agent for such State,

whether there is any objection to the grant of the license, unless, for reasons to be recorded, he considers this precaution to be clearly unnecessary.

No Political Officer, shall under any circumstances, issue a license in form IX (present form XIX) covering more than 30 armed retainers without previous reference to the local Government of the province in which the licensee proposes to travel. In the event of a local Government dissenting from the recommendation of a Political Officer not serving directly under its orders, it would still be open to him for sufficient reasons to refer the matter for the consideration of the Government of India, but armed retinues must be discouraged as much as possible.

(For. Dept., letter No. 2273-J., dated the 8th Jan. 1889.)

Possession and Import or Transport.

Possession by dealers of certain balled ammunition with liberty to import.

31. (1) A licensed dealer authorized by the local Government under rule 24, sub-rule (3), to keep and sell a specified amount of balled ammunition for rifles of ·303 or of 450 bore may be permitted—

(*a*) in any Presidency-town or Rangoon, by the Commissioner of Police, or

(*b*) in any other place, by the Magistrate of the district, to import such ammunition up to such amount.

(2) Where application is made under sub-rule (1) for permission to import balled ammunition, the dealer shall produce his license and, if permission is granted, the authority granting it shall endorse on the license the quantity of balled ammunition for which, and the date on which, such permission was granted.

32. (1) A license may be granted—

Possession and transport by cultivators and contractors of certain blasting material.

(*a*) in any Presidency-town or Rangoon, by the Commissioner or Police, or

(*b*) in any other place, by the Magistrate of the district, to any cultivator, contractor or other like person for the possession and transport of gunpowder, fuses, dynamite, blasting gelatine and detonating caps in reasonable quantities proved to the satisfaction of the authority granting the license to be required in good faith for blasting purposes.

(2) A general license may be granted by similar authority to dealers in explosives, contractors and mining agents for the transport of dynamite, blasting gelatine, detonating caps and other explosive material ordered or required by the consignee in good faith for blasting purposes.

(3) The provisions of rule 23, relating to the delivery of transport licenses and the scrutiny of articles transported, shall, so far as they can be made applicable, be deemed to apply in the case of gunpowder, fuses, dynamite, blasting gelatine and detonating caps transported under a license granted under sub-rule (1).

Licenses to possess blasting powder and fuses for use in the construction of Local Fund Works may be granted without payment of fee, to the officers of Local Boards and to contractors under such Boards when necessary to fulfil their contracts with the Boards.

(Bom. Govt. Notn. No. 3917, dated the 28th Oct. 1890.)

Applications for and grant of licenses.

Consent or previous sanction in certain cases.

33. (1) A license, having effect beyond the local limits of the authority of the officer granting it, shall not be granted for the export, import or transport of any arms, ammunition or military stores—

(*a*) to any Native State in India, without the consent of the Political Agent for such State;

provided that the consent of such Political Agent shall not be necessary in cases where the consignee is a European subject of His Majesty and a gazetted civil or commissioned military officer, and the consignment is intended for the personal use only of the consignee;

(*b*) to any Presidency-town or Rangoon, without the consent of the Commissioner of Police; or

(*c*) to any other place in British India, without the consent of the Magistrate of the district.

(2) Save by the Commissioner of Police in any Presidency town or Rangoon, a license shall not be granted under rule 11, rule 16, sub rule (2), clause (*a*), rule 22, rule 26, rule 27, rule 28, rule 29, or rule 30 in respect of any breech-loading rifle or balled ammunition without the previous sanction—

(*a*) in the Madras Presidency, of the Board of Revenue;

(*b*) in the province of Coorg, of the Chief Commissioner; or

(*c*) in any other place, of the Commissioner.

(3) Save as aforesaid, a license shall not be granted under rule 22 for the transport of any breech-loading rifle or balled ammunition to any place in—

(*a*) the North-West Frontier Province, or

(*b*) the Rawalpindi or the Dera Ghazi Khan or the Mianwali or the Attock District of the Punjab,

without the previous sanction—

(*i*) of the local Government, or

(*ii*) where the rifle or ammunition is transported from Sind, of the Commissioner in Sind.

(4) A license shall not be granted under rule 26, rule 27, sub-rule (1), clause (b), rule 28, rule 29 or rule 30, sub-rule (1) by any Magistrate of a district in Burma without the previous sanction of the Commissioner.

(5) The consent or previous sanction referred to in this rule may be obtained either

(*a*) by the applicant for the license, or

(*b*) by the officer to whom application for the grant of such license is made.

(6) Where the consent or previous sanction is sought by the officer to whom application for the grant of the license is made, he shall send a copy of the proposed license to the authority whose consent or previous sanction is required ; and, on receipt of the reply of such authority, he shall either grant the license or inform the applicant that his application is refused.

Particulars to be stated in applications.

34. (1) Every person who wishes to obtain a license under these rules shall apply in writing to the nearest authority empowered to grant such license and shall in such application furnish all such particulars as may be necessary to enable such license to be granted.

(2) In particular and without prejudice to the generality of sub rule (1) every application for a license—

(*a*) for the import by land or river,

(*b*) for the export, or

(*c*) for the transport

of any arms, ammunition or military stores shall specify—

(*i*) the place of destination,

(*ii*) the route,

(*iii*) the time likely to be occupied in the journey, and

(*iv*) the quantity, description, average price and purpose of each kind of arms, ammunition or stores.

(3) Where the grant of the license requires the consent or previous sanction of some other authority specified in rule 33, the application shall state whether such consent or previous sanction has been obtained and, if so, shall be supported by evidence thereof.

Form and language of licenses.

35. (1) Every license shall be granted or renewed and every pass shall be granted, in the appropriate form set forth in Schedule VII and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named, in the license shall alone be covered thereby.

(2) Every such license shall be written or printed—

(*a*) where it is granted in a Presidency-town or in Rangoon or where it is granted in a district and is intended for use beyond the limits of such district, in English and, if the licensing officer so directs, in the vernacular, or

(*b*) where it is granted in a district and is intended for use within the limits of such district, in English or in the vernacular as the licensing officer may direct.

Duration and renewal of licenses.

36. (1) Save as herein otherwise provided, every license under these rules shall, unless previously forfeited, be in force for such period and expire on such day as, subject to any restrictions or limitations imposed by the appropriate form set out in Schedule VII, the authority granting it may enter thereon.

(2) A license for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated on the license.

(3) Every license may, at its expiration and subject to the same conditions (if any) as to consent or previous sanction, be renewed by the authority who granted it.

Discretion and control of authorities empowered to grant licenses.

37. (1) Every authority empowered to grant or renew a license or to give his consent or previous sanction to such grant or renewal may, in his discretion,—

(a) refuse to grant or renew such license or to give such consent or sanction, or

(b) refer the application for orders to the Government (if any) to which he is subordinate.

(2) Every such authority shall exercise all powers and perform all duties, conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

Obligation to produce licenses.

38. (1) Any person who—

(a) holds a license granted or renewed or a pass granted under these rules, or

(b) is acting under colour of such a license or pass,

shall forthwith produce such license or pass upon the demand of any Magistrate or of any Police officer of a rank not below that of officer in charge of a police-station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a license to grant or renew it upon any condition, not inconsistent with the said sub-rule, with respect to the production of such license.

Fees.

Fees payable for licenses.

39. (1) Every license granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated on the appropriate form set forth in Schedule VII.

(2) Where any arms, other than—

(*a*) cannon, or

(*b*) rifles falling within the prohibition contained in rule 8,

or any ammunition or military stores are imported under a license into any British port and re-exported thence and re-imported into any of the ports specified in rule 9 or in rule 10, the necessary licenses for such re-export under rule 16 and for such re-import under rule 9 or rule 10 shall be respectively chargeable with a fee of one rupee only.

(3) The Government of India may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any license.

(4) The fee payable in respect of the grant or renewal of any license of the nature hereinafter referred to may, by general or special order of the local Government, be remitted or reduced :—

(*a*) for the import, transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Local Government to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition ;

(*b*) for the export to a Native State of ammunition required for the use of a public railway or other public work;

(*c*) under rule 11, to any person for the import of any arms, ammunition or military stores in reasonable quantities proved to the satisfaction of the authority granting the license to be required in good faith for the protection of person or property.

(5) The fee payable in respect of the grant or renewal of any license in form VII may be remitted, subject to the conditions stated in each case, as follows namely:—

(*a*) Under the signature of a Secretary to the Government of Madras, Bombay or Bengal in respect of ammunition exported to a Native State for the use of a public railway or other public work.

(*b*) by all Political Officers authorised to grant licenses in form VII, in the case of arms and ammunition exported for the personal use of persons of the classes mentioned in Schedule I.

(6) The fee payable in respect of the grant or renewal of any license in form VII shall be remitted in the case of all licenses in that form issued by the Commissioner of Police in Madras or Bombay, the Deputy Commissioner of Police in Calcutta or by the District Magistrates of Meerut and Rawalpindi.

(7) The fee payable in respect of a license in form VII granted by the District Magistrate of Malabar for export to Mahé shall be reduced to one rupee in every case in which the value of the consignment does not exceed twenty rupees.

Applications of Native chiefs for licenses under the Indian Arms Act are exempt from fees, whether the arms or ammunition are required for personal use or for State purposes.

(Bom. Govt. Resn. No. 981 dated the 8th Feb. 1891).

The applications of Native chiefs (who dwell outside British India, but who purchase ammunition in British India and export it to their own territories) for licenses are exempted from the fees usually levied.
(For. Dept. No. 448-I.P., dated the 21st May 1881).

Fees payable for duplicates.

40. Where a license granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such license may grant a duplicate—

(a) where the original license was granted without the payment of any fee to a cultivator or other like person free of all fee;

(b) where such original license was granted on the payment of a fee not exceeding one rupee, on payment of a fee of the same amount; or

(c) in any other case, on payment of a fee of one rupee.

Collection and refund of fees.

41. (1) All fees payable under rule 39 or rule 40 shall be collected by impressed stamps.

(2) The Government may, by general or special order, direct in regard to any application for a license or duplicate in respect of which a fee is payable—

(a) that the application shall be written upon an impressed stamp of a value equal to such fee and that in such case the license or duplicate shall be granted or renewed on plain paper or,

(b) that the license shall be written upon an impressed stamp, to be supplied by the applicant, of a value equal to such fee, and that in such case, the application may be written on plain paper.

(3) Where a fee of not less than one rupee payable under these rules has been collected and the application for the grant or renewal of a license or duplicate is refused, the value of the fee shall be refunded, upon application for the same being made within two months from the date of such refusal.

SCHEDULE I.

(For notes see the end of this Schedule.)

PERSONS EXEMPTED.

(Rule 3.)

1. The persons or classes of persons specified or described in the first column of the subjoined table are exempted in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

The Table.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(1) Every Maharaja, Raja, Nawab or Member of any Order of Knighthood and every person who — (*a*) holds the Kaisar-i-Hind Medal, or (*b*) bears a title conferred or recognised by the Government of India, or (*c*) holds a sword granted to him in public Darbar under the orders of the local Government or the Commissioner in Sind, or (*d*) holds a certificate received on the occasion of the assumption of the title of Empress of India, by Her late Majesty Queen Victoria, (*e*) is exempted from personal appearance in a Civil Court.	All except — (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets, (*d*) rifles of ·303 or ·450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same ; (*e*) machinery for the manufacture of arms or ammunition.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as (*a*) the Government of India, or (*b*) a local Government in respect of the territories administered by it or subject to its control may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(2) Every Member or ex-Member of the Legislative Council of			

SCHEDULE I.—*contd.*

The Table.—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
the Governor-General, the Governor of Madras or Bombay, or the Lieutenant-Governor of Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma or Eastern Bengal and Assam.	All except — (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets, (*d*) rifles of ·303 or ·450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (*e*) machinery for the manufacture of arms or ammunition.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (*a*) the Government of India, or (*b*) a local Government in respect of the territories administered by it or subject to its control may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(3) Every Commissioned or Gazetted Officer of His Majesty's Military or Naval forces or of His Majesty's Indian Marine Service, every commissioned native officer of the Imperial Service Troops in active service, every warrant officer, non-commissioned officer, soldier or sailor in the service of His Majesty, every enrolled volunteer and such officers of the Police (including officers subordinate to the Criminal Intelligence Depart-	Ditto ..	Ditto ...	Ditto.

SCHEDULE I—*contd.*

The Table.—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
ment), Forest, Postal, Telegraph, Jail, Medical, Salt, Opium and Excise Departments as the local Government may, by general or special order direct. Provided that a native soldier while absent from his regiment on leave, shall be exempt only in respect of such arms and ammunition as may be covered by a pass granted to him by his commanding officer. *Explanation.*—The term "soldier" as used in this clause does not include a "reservist."	All except— (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets. (*d*) rifles of ·303 or ·450 bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (*e*) machinery for the manufacture of arms or ammunition.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (*a*) the Government of India, or (*b*) a local Government in respect of the territories administered by it or subject to its control may declare to be reasonable for him to carry or possess.	These contained in sections 13 to 16.
(4) Every Justice of the Peace, every Deputy Collector, every officer salaried or honorary of the Judicial service of a rank not below that of a Magistrate of the third class, Munsif, or Judicial Myook, and every Officer of the Public Works Department of a rank not below that of Assistant Engineer. *Explanation.*—In the Madras Presidency the word "Munsif" applies to "District Munsifs" appointed under the Madras Civil Courts Act, 1873.	Ditto ...	Ditto ...	Ditto.

SCHEDULE I.—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(5) Every retired commissioned or gazetted native officer or non-commissioned officer of His Majesty's Indian Forces and every retired commissioned or gazetted officer of Imperial service Troops who— (*a*) is in receipt of a pension as such, or (*b*) not being in receipt of such a pension, has been recommended for exemption by his Commanding Officer by entry recorded on his discharge certificate, and such pensioned officers of the Civil Departments as the local Government may, by general or special order, direct.	All, except— (*a*) cannon (*b*) articles designed for torpedo service, (*c*) war-rockets (*d*) rifle of ·303 or ·450 bore other than rifles of such bores lawfully imported into British India. and ammunition which can be fired from the same; (*e*) machinery for the manufacture of arms or ammunition.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (*a*) the Government of India, or (*b*) a local Government in respect of the territories administered by it or subject to its control may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16
(6) Every pensioned Gurkha officer non-commissioned officer or soldier of His Majesty's Indian Forces residing in British India.	Kukris . . .	. .	All.
(7) Every revenue official and postal runner in any frontier or wild district where his superior departmental officer directs him to carry arms on duty.	Such arms as his superior departmental officer may direct him to carry.	...	Those contained in sections 13 to 16.

SCHEDULE I.- *contd.*

The Table. contd

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(8) Such subordinate officials of the Geological Survey of India as may from time to time be authorized by the Superintendent of the Geological Survey to possess or carry arms.	Such arms as the Superintendent of Geological Survey may direct him to possess or carry	...	Those contained in sections 13 to 16.
(9) Every Consul, Consular Agent, duly accredited Vakil or Agent of any Native State in India.	All, except — (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets, (*d*) rifles of ·303 or ·450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same ; (*e*) machinery for the manufacture of arms or ammunition.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as -- (*a*) the Government of India, or (*b*) a local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or posses.	Ditto.
(10) The holder for the time being of the office of Diwan of Idar in the Mahi Kanta Agency, or of Private Secretary to His Highness the Maharaja of Idar.	Ditto ..	Ditto ..	Ditto.
(11) Maharaja Deb Shamsher Jang, Rana Bahadur, ex-Prime Minister of Nepal, residing at Mussoorie.	Ditto ...	Ditto ..	Ditto.

SCHEDULE I.—*contd.*

The Table.—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(12) General Khadga Shamsher Jang, Rana Bahadur residing at Saugor.	All, except — (*a*) cannon, (*b*) articles designed for torpedo service. (*c*) war-rockets, (*d*) rifles of ·303 or ·450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same ; (*e*) machinery for the manufacture of arms or ammunition.	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as — (*a*) the Government of India, or (*b*) a local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(13) Every European or East Indian subject of His Majesty, every Armenian and every European or American who is not a natural born or naturalized subject of His Majesty, only so long as he is temporarily residing or travelling in India.	Ditto ...	In addition and without prejudice to the foregoing proviso and restriction, any person possessing firearms in Burma without license in virtue of this exemption shall annually register them — (*a*) where they are possessed in Rangoon, in the office of the Commissioner of Police, and (*b*) in any other case in the office of the District Magistrate, on or before such date as the local Government may, by general or special order, direct.	Ditto.

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions. and directions.
(14) Every ruling Prince or Chief, and such members of the families or high officials of a ruling Prince or Chief as the local Government or Political Agent may designate, on the occasions of his or their entering or residing in British India with his or their retinues, to such numbers as may in each case be settled by the Political Agent under the special or general orders of (*a*) the Government of India, or (*b*) the local Governments in respect of Princes or Chiefs whose political relations are with those Governments, respectively, and all officials of such Princes or Chiefs passing through British India on duty.	All, except— (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets, (*d*) rifles of ·303 or ·450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same ; (*e*) machinery for the manufacture of arms or ammunition.	This exemption shall be subject to such conditions (if any) as may be prescribed by the local Government or the Political Agent, as the case may be.	Those contained in sections 13 to 16.
(15) (*a*) Every landholder or member of a Municipal Board or Committee, being of approved loyalty and good position and designated in any list issued in this behalf by the local Government.	Ditto ...	The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as— (*a*) the Government of India, or	Ditto.

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(*b*) Every Malikana-holder in the Malabar district of the Madras Presidency. (*c*) Every person of Coorg race and every jumma tenure-holder in Coorg who, by his tenure, is liable to perform military or police duties. (*d*) Every person who holds fire-arms presented to him by the Government of Burma.	All, except— (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets, (*d*) rifles of ·303 or 450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (*e*) machinery for the manufacture of arms or ammunition.	(*b*) a local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for him to carry or possess.	Those contained in sections 13 to 16.
(16) Save in the Punjab, every head of a village, ghatwal, dighwar or other rural police officer.	Such arms as the local Government may notify to be necessary for the discharge of his police duties.	...	Ditto.
(17) Every subject of the Baroda or Indore State, or of any State or jagir in the Bundelkhand Agency who may transport arms or ammunition across any part of British India from one part of the territory of such State to another part of the territory of the same State under a license granted by the Resident or Assistant Resident of Baroda, or Resident at Indore or the Political Agent or his Assistant respectively.	Such arms or ammunition as may be covered by his license.	...	Ditto.

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(18) The following persons and their retainers, namely— (*a*) the ancient Zamindars and poligars of the Madras Presidency; and the Mahant of Tirupati, in the North Arcot district of the Madras Presidency; (*b*) the Dekkhan and Southern Mahrata Country Sardars; such of the Mehwasi Chiefs of the Khandesh District; and such members of the Talpur family of Sind as the Government of Bombay may designate; (*c*) the great Zamindars of Bengal and Eastern Bengal and Assam; (*d*) the great Sardars and Jagirdars of the Punjab; (*e*) Shan Sawbwas and other Native Chiefs in Burma; (*f*) the Zamindars of the Scheduled Districts of the Central Provinces; (*g*) such nobles and high officials of the Baroda State as the Government of India may designate;	All except— (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets, (*d*) rifles of ·303 or ·450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (*e*) machinery for the manufacture of arms or ammunition.	This exemption shall be subject to such orders as the local Government may make, regarding— (*a*) the persons to be included in this category, and (*b*) the number of retainers and arms and the quantity of ammunition to be permitted in each case. (*c*) the purposes for which such arms may be carried.	Those contained in sections 13 to 16.

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(*h*) such nobles and high officials of the Hyderabad State as the Government of India may designate ; (*i*) such officials of the Paigah Nobles and the larger jagirdars of the Hyderabad State, as may be authorized by the Resident to carry arms when travelling on duty from one part of the territory to another part of the same territory.	All except— (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets, (*d*) rifles of ·303 or 450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same ; (*e*) machinery for the manufacture of arms or ammunition.	This exemption shall be subject to such orders as the local Government may make, regarding— (*a*) the persons to be included in this category, and (*b*) the number of retainers and arms and the quantity of ammunition to be permitted in each case. (*c*) the purposes for which such arms may be carried.	Those contained in sections 13 to 16.
(19) (*a*) The Oudh retainers of His Highness Raja Sir Jagatjit Singh, K.C.S.I., Bahadur, of Kapurthala, Raja-i-Rajagan. (*b*) The retainers of the following nobles in the United Provinces— Raja Mahendra Man Singh of Bhadawar. Raja Rup Sah of Jagamanpur. Raja Ram Singh C.I.E., of Rampura. Raja Sardar Singh, Bahadur, of Katehra. His Highness Maharaja Sir Prabhu Narayan Singh. Bahadur, G.C.I.E., of Benares.	Ditto ...	This exemption shall be subject to such orders as the local Government may make, regarding— (*a*) the number of retainers and arms and the quantity of ammunition to be permitted in each case, (*b*) the purposes for which such arms may be carried.	Ditto.

SCHEDULE I—*contd.*

The Table - contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
Raja Udai Partab Singh, C. S. I., of Bhinga. Raja Balwant Singh, C.I.E., of Awa. Maharaja Sir Bhagwati Parshad Singh, K.C.I.E., of Balrampur. Raja Kishen Kumar of Sahaspur Bilari Kunwar Rukmangad Singh of Katiari. Raja Ram Pertab Singh of Manda. Maharani Jagdamba Debi of Ajudhiya. Shahzada Basdeo Singh, residing in the Rae Bareli District. (*c*) The retainers of— Raja Raghoji Rao of Deor in the Central Provinces. (*d*) The Prince of Arcot.	All, except— (*a*) cannon, (*b*) articles designed for torpedo service, (*c*) war-rockets. (*d*) rifles of ·303 or ·450 bore, other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same; (*e*) machinery for the manufacture of arms or ammunition.	This exemption shall be subject to such orders as the local Government may make, regarding— (*a*) the number of retainers and arms and the quantity of ammunition to be permitted in each case, (*b*) the purposes for which such arms may be carried.	Those contained in sections 13 to 16
(20) (*a*) Rajbansi and Bindraban, sons of the late Ram Bakhsh Sadar Bahadur, of the Nepal Escort, residing at Cawnpore in the United Provinces of Agra and Oudh.	The sword and dagger granted to their father for good services to the Government.	...	Those contained in section 15.

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(*b*) The undermentioned persons belonging to the Bhavnagar State Imperial Service Lancers while temporarily residing or travelling in British India— 1. Kot Daffedar Hanubhai Ranchodji. 2. Duffedar Mangalsinh Sheoprasad. 3. Daffedar Kasalsinh Mulubha. 4 Farrier Jehangirkhan Chhotukhan. 5. Farrier Ismail Govind. 6. Farrier Shekh Abdulkhan Shekh Husen. 7. Sowar Ramprasad Matadin. 8. Sowar Kirpalsinh Badluesinh. 9. Sowar Jetubhai Kala. 10. Sowar Nathubhai Madarsinh.	The swords of honour presented to them by His Highness the Thakorsahib of Bhavnagar in recognition of their services in South Africa during the late War.	...	Those contained in section 15.
(21) Every British officer in Staff, departmental and regimental employ, every member of a Volunteer Corps and every Warrant Officer or Staff Sergeant of a British Unit of the Army (including a Staff Sergeant or Warrant Officer who is an instructor of a Volunteer Corps).	Single barrel rifles of ·303 bore required for match-shooting purposes.	1. Only one such rifle at a time shall be imported or used by any person hereby exempted. 2. The rifle shall be sighted to a range of over 1,000 yards. 3. The rifle shall in the case of regimental officers, warrant officers,	All.

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
	Single barrel rifles of ·303 bore required for match-shooting purposes.	non-commissioned officers and Volunteers become part of the equipment of the Corps to which the owner for the time being belongs. 4. The owner shall, at the time of importation, produce a certificate from the Commanding Officer of the Corps, senior officer or Head of Department to which he belongs, to the effect that, in the case of regimental officers, warrant officers, non-commissioned officers and volunteers, the weapon will be brought on to the equipment ledger of the Corps and in the case of Staff and departmental officers will be brought on to the equipment ledger of a Corps in the officer's command or office inventory of stores, and will be accounted for in the same manner as other equipment.	All.

SCHEDULE I—*contd.*

The Table—contd.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
	Single barrel rifles of ·303 bore required for match-shooting purposes.	5. This exemption shall in the case of volunteers cease to have effect on the owner leaving the Volunteer force, Provided that, if he departs from India immediately after so leaving he may take the weapon with him. 6. Any person hereby exempted may dispose of his rifle to another person so exempted, provided that the rifle becomes part of the equipment of the corps to which the latter belongs and is accounted for as such.	All.
(22) Any of the under-mentioned persons, not being members of trans-border tribes :— (*a*) any Baloch belonging to any organised tuman while within the limits of such tuman in the Dehra Ghazi Khan district of the Punjab.	All arms, except rifles, pistols, revolvers and daggers.	...	Those contained in section 15.

CAXTON PRESS LAHORE.

SCHEDULE I—*concld.*

The Table—concld.

Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
(*b*) armed guards accompanying sheep, goats, asses and cattle, under the provisions of the Frontier Grazing Regulation, 1874 (I of 1874) : or (*c*) villagers residing in— (*i*) the North-West Frontier Province, or (*ii*) the Isakhel Tahsil of the Mianwali district ~~or the~~ Attock ~~tahsil of the Attock~~ district of the Punjab, pursuing raiders or members of trans-border tribes or Balochis who have committed or attempt to commit any offence in British India	All arms, except rifles, pistols, revolvers and daggers.	.....	Those contained in section 13.
(23) Any of the persons described in sub-heads (*b*) and (*c*) of entry (~~19~~)(22)	All arms and ammunition except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition.	.....	Those contained in sections 14 and 15.

NOTES.

(1). Facilities should also be afforded to exempted persons, when proceeding with arms beyond the limits of their own province, for obtaining certificates of exemption from the authorities of the district to which they belong. It should be clearly understood that exempted persons cannot be obliged to provide themselves with such certificates, and that the object of issuing them is to afford to their holders a ready means of proving their identity, if their right to carry arms should be challenged by the authorities of another province in which they may be unknown. It would still be open to persons claiming to have been exempted to prove the fact of exemption, or to establish their identity, by any other means which they might choose to adopt, but certificates of exemption, if applied for by exempted persons, should invaribably be given, either by the District Magistrate or by some other officer whom the Local Government might see fit to empower on this behalf.

(Home Dept. No. $\frac{27}{963\ 915}$, dated the 12th July 1881.)

(2). While the object of adding the proviso (*vide* the third column of the Schedule) was to give Local Governments a general power of imposing restrictions it was not intended to oblige them to define the

number of arms which may be held to be reasonable in each case but only to give them the power to do so whenever it might be deemed necessary.

It is accordingly within the power of a Local Government in making an exemption to limit its application so as to include firearms, and where firearms are included, to specify not only their number but also their description.

(Home Dept. letter No. 3079, dated the 19th November 1900).

(3). The addition of the words "Sections 14, 15 and 16 of," (*vide* the last column of the Schedule) leaves the exempted classes and persons free to possess arms and ammunition, to go armed and to transport arms and ammunition in reasonable quantities. But the exempted classes and personages will not be free to sell, to manufacture, or to transport arms and ammunition without a license, save in so far as they are authorized to transport arms, etc., under rule 20.

(Home Dept. O. M. No. 17/519-528, dated the 6th March 1879).

(4). *Clause* (1) (*c*)—The exemption under this clause does not extend to :—Kazi Fazal Allah of Tata in Sind.

(Home Dept. Notification No. 2071, dated the 29th April 1909).

(5). *Clause* (3)—A native of India holding the honorary rank of Lieutenant in the Indian Army is included within the term Military forces.

(Home Dept. letter No. 2064, dated the 7th June 1905).

(6) The Government of India have been pleased to approve of native officers retaining fusils and smoothbore weapons purchased from the Ordnance Department, which, under the regulations hitherto in force, were required to be returned when no longer needed for personal use or when leaving India.

(Army Dept. No. 429 B., dated 11th February 1908).

(7). REVISED PARAS. 686—693, ARMY REGNS., INDIA, VOL. II.

Private arms of native troops.

686. An Indian Officer of the Indian Army is allowed, without a license or pass, from his C. O., to carry or possess, for his personal use arms and ammunition to the extent and under the restrictions prescribed in Schedule I, Indian Arms Rules, 1909.

An Indian soldier is allowed without a license, to carry or possess for his personal use :—

one gun or pistol ;

one sword, dagger or knife ;

twenty cartridges or an equivalent quantity of powder, bullets or shot, and caps,

subject to the following restrictions :—

(*a*) he must be of good character ;

(*b*) the fire-arm shall not be of a class superior to that of the fire-arms in use in the native army, nor a rifle of ·303″ bore, nor a rifle of ·450″ bore imported subsequently to the 11th September 1906, and balled ammunition may not be possessed which can be fired from a ·303″ rifle.

(c) the possession of any arms or ammunition, to which these rules apply must be immediately reported, and their description entered in the private arms register to be maintained by each unit, extracts from which must be sent with the man's documents when transferred to another unit. Such arms and ammunition must be lodged in the armoury while the soldier is with his unit;

(d) he shall immediately report to his superior officer the loss of any such arms or ammuniation;

(e) when proceeding on furlough, he shall obtain a pass from his O. C. which he must produce on his return, together with the arms to which it relates, to the O. C. who will satisfy himself that the arms have not been changed. Failure to produce the arms and pass will be punished by the deprivation of a pass for one year, which should be communicated to the Magistrate or Political officer concerned for necessary action. If a soldier so absent, is found in possession of arms and ammunition not covered by such a pass, he will be made over to the military authorities for trial. A pass shall not be required for the regimental sword of an Indian officer, or mounted soldier proceeding on furlough, if permission to carry it is entered on his furlough certificate.

687. An Indian officer or soldier shall not purchase arms unless—

(i) he has been furnished by competent authority with a written permission specifying the period for which it is valid;

Competent authority in the case of a native officer or soldier is his commanding officer and in the case of a reservist, the officer commanding the reserve centre.

(G. G. O. Army Dept. No. 1244 B., dated the 5th December 1906.)

(ii) the arms are purchased from a person entitled under the Indian Arms Act, 1878 (XI of 1878), to possess or to sell arms; and

(iii) the arms so purchased by him and the arms already possessed by him do not exceed the amounts authorised by these rules.

688. An Indian officer or soldier shall not, unless authorised by competent authority, give or otherwise transfer any rifle, to which these rules apply, to any native whose home is situated near, or beyond the N.-W. frontier.

689. Every pass shall be granted by the O. C. who shall not delegate his authority. It shall contain—

(a) a full description of the arms with a record of their distinctive marks, and ammunition authorised by the pass;

(*b*) the parentage, religion, class, tribe and home of the holder of the pass;

(*c*) a pass shall not be granted to an applicant whose home is situated beyond the N.-W. frontier, unless he shall have obtained from his clansmen in the regiment and deposited security to the full trans-frontier value, for the return of any fire-arm which it is proposed to take away. The Bde. Comdr. shall decide what is the full trans-frontier value of any fire-arm.

690. Whenever an Indian soldier, on joining the reserve, wishes to possess arms and ammunition for his personal use, he will obtain a license, which will be issued and renewed free of license fee, by the magistrate of the district in which he resides, provided that his application is submitted through, and is recommended by, his late C. O.

Should a magistrate not feel justified in issuing a license to a reservist, his decision, with his reasons, will be communicated to the C. O. for such action as the latter may wish to take.

Offences under the Indian Arms Act and Rules committed by reservists will be dealt with in the ordinary manner under that Act by the magistracy.

Every soldier before transfer to the reserve, and every reservist before returning home after training, shall be warned by his C. O. that he must report the loss or theft of any arms covered by his license to the nearest police station, as required by the conditions printed on the license form.

691. Where a fire-arm for which security has been deposited and a pass granted, is not returned, the security shall be forfeited and the clansmen of the defaulter shall for such period not exceeding two years as the O. C. may fix, be precluded from taking fire-arms on furlough. All such cases shall be immediately reported to the Divl. Comdr.

692. The magistrate or political officer of the district in which the pass holder intends to reside shall be forthwith informed of the issue of a pass by the O. C. the corps in the case of a soldier proceeding on furlough. When passes are cancelled or withdrawn the magistrate or political officer concerned must be so informed.

693. Officers, soldiers and reservists on leaving the army, cannot be granted passes under these regulations, and any passes in their possession must be withdrawn from them. A retired officer who is in receipt of a pension as such, or who, not being in receipt of such a pension, is, on leaving the service under creditable circumstances, exempted by his O. C. by entry recorded on his discharge certificate (I. A. F. Y. 1949), alone continues exempt from the provisions of sections 13 to 16 of the Indian Arms Act, 1878, to the same extent as when in the Army. A soldier possessing at the time of discharge, a weapon requiring a license under the Indian Arms Act, shall be warned, if his home is situated within the limits of British India, that he must obtain, through his O. C., a license from the magistrate of the district where he proposes to reside: and if his home

is situated beyond those limits, that he must obtain through his O. C., an export license from the Foreign Department. No export license will be granted to a trans-border tribes-man except for arms certified by his O. C. to have been brought by him from his home on enrolment.

(I. A. O. No. 326 of 1910 has been superseded by the I. A. O. No. 334, dated the 6th June 1910, reproduced below I. A. O. No. 92, dated the 14th February 1910).

With reference to Indian Army Order No. 326 of 1909, the Government of India have ruled that a native soldier on leave is restricted to the maximum quantity of arms and ammunition prescribed by Army Regulations, India, Volume II, paragraph 686. If the quantity covered by the pass granted by his commanding officer is less than the prescribed maximum, a native soldier on leave may only purchase, and dealers may only sell to him, additional arms and ammunition up to that maximum and then only with the written permission of his commanding officer. No license will be granted to a native soldier, by the magistrate or other authority invested with the power to license, for any other arms or ammunition.

(I. A. O. No. 92, dated the 14th February 1910).

In order to provide for the closer control over the possession of private arms by Indian troops, the Government of India direct observance of the following rules:—

(*a*) An Indian soldier, while absent from his regiment on leave, shall be exempt from the operations of sections 13 to 16 of the Indian Arms Act in respect of such arms and ammunition only as may be covered by the pass granted to him by his Commanding Officer under Army Regulations, India, Volume II.

If a soldier so absent, is found to be in possession of arms and ammunition not covered by such a pass, he will be made over to the military authorities for trial.

(*b*) Whenever an Indian soldier, at the time of his being transferred to the reserve, wishes as a reservist to possess arms and ammunition for his personal use, the magistrate of the district in which he resides will grant him a license, free of license fee, provided that the application therefor has been submitted through and is recommended by the Officer Commanding the applicant's late regiment or battery.

(*c*) In the case of an Indian reservist applying for a license at any time after joining the reserve, the magistrate of the district will grant the license, free of license fee, on the recommendation of the Officer Commanding the Reserve Centre to which the reservist is attached.

(*d*) In all cases licenses will be renewed, free of license fee, on the recommendation of the Officer Commanding the Reserve Centre.

Should a magistrate not feel justified in issuing a license to a reservist or in renewing a reservist's license, his decision will be communi-

cated to the Officer through whom the application was submitted, for such action as the latter may wish to take.

Offences under the Arms Act and Rules committed by reservists will be dealt with in the ordinary manner under that Act by the magistracy.

(I. A. O. No. 334, dated 6th June 1910).

(8). 2. In reply I am to say that the Government of India, having carefully considered the matter, regret that they are unable to take action in the direction indicated, so far as native soldiers are concerned. But in order to provide for closer control over the possession of arms by such soldiers on leave, the Government of India have decided to modify the rules under the Arms Act by the addition of a proviso to paragraph I, clause (3), to the effect that a native soldier, while absent from his regiment on leave, shall be exempt only in respect of such arms and ammunition as may be covered by the pass granted to him by his Commanding Officer. If a soldier, so absent, is found to be in possession of arms and ammunition not covered by such a pass, he should be made over to the military authorities, to be dealt with under the military law, instead of being prosecuted under the provisions of the Indian Arms Act.

3. So for as native reservists are concerned, the Government of India have decided to exclude them altogether from the benefits of the exemption enjoyed by them under the orders contained in the Home Department letter No 758, dated the 3rd June 1903; these orders and the foot-note printed at page 2 of the rules forwarded with the Home Department letter No. 3273—3282, dated the 28th May 1901, are accordingly cancelled. In future whenever a native soldier, on joining the reserve, wishes to possess arms and ammunition for his personal use he should obtain a license, which should be issued and renewed free of license fee, by the magistrate of the district in which he resides. The application for the initial grant of the license should be submitted through the reservist's late Commanding Officer, who should endorse thereon his recommendation as to whether the license should be granted or refused. In the event of a magistrate not feeling justified in issuing a license to a reservist, he should communicate his decision, with his reasons, to the Commanding Officer, for such action as the latter officer may wish to take. Offences under the Arms Act and Rules committed by reservists of the native army will be dealt with in the ordinary manner under that Act by the magistracy. These orders should be held to be applicable in the case of reservists who are already in possession of arms on the authority of the passes issued by their respective Commanding Officers, and who will now receive letters of recommendation for the grant of license by the District Magistrates in whose jurisdiction they are residing.

(Home Dept. letter No. 781, dated the 26th February 1909).

(10). In connection with the orders conveyed in the Home Department $\frac{\text{letter No. 781}}{\text{endorsement No. 782-780.}}$ dated the 26th February 1909, questions have been raised as to (1) whether it is the intention that a native soldier

on leave should not be eligible to obtain a license for arms and ammunition in respect of which he is not exempt; (2) whether the pass to be granted by the Commanding Officer would relate only to arms and ammunition which the soldier possessed at the time when he went on leave, or whether it would extend to arms and ammunition which he might subsequently purchase; and (3) whether dealers will be at liberty to sell arms and ammunition up to the amount covered by such a pass.

2. With reference to the first question, I am to invite attention to paragraphs 686-693 of the Army Regulations, India, Volume II, and to explain that although there is nothing in the Arms Act and Rules to render a native soldier on leave ineligible for a license for arms and ammunition other than those covered by the pass granted by his Commanding Officer, yet, since the possession or obtaining of such arms constitutes a breach of the Army Regulations quoted, it is desirable that such applications for license should invariably be refused by District Magistrates and other authorities invested with the power to license. I am to request that all licensing authorities may be instructed in this sense.

3. As regards the second question, I am to say that the Commanding Officer's pass is intended to cover only those arms, which were in the soldier's possession at the time of his quitting his regiment on leave and that the pass does not cover arms purchased subsequently. That this is the intention is clear from paragraph 686 (*e*) of the Army Regulations, India, Volume II, which requires the Officer Commanding to satisfy himself, on the soldier's return from leave, that the arms covered by the pass have not been changed. Under Army Regulations, India, Volume II, paragraphs 686, 687, (*i*) and (*iii*), a soldier is restricted to a certain maximum quantity of arms and ammunition, and if the quantity covered by the pass granted by his Commanding Officer on his proceeding on leave is less than the prescribed maximum, he may only purchase additional arms and ammunition up to that maximum with the written permission of "competent authority," *i.e.*, his Commanding Officer. From this it follows that the reply to the third question is that dealers cannot sell arms or ammunition to native soldiers on the strength of the Commanding Officer's pass up to the quantity specified therein unless a special authorisation is produced for each such purchase.

(Home Dept. letter No. 3594—3602, dated the 29th September 1909).

(13). Volunteers like other privileged persons, are exempted from the operation of the prohibitions and directions contained in sections 13 to 16 of the Arms Act, because Government places confidence in them, and not with reference to the arms which as Volunteers they must have and which are protected by section I (*b*) of the Act. Individuals, who commit breaches of the rules by having in their possession a larger number of arms than is allowed by the orders of the Bombay Government under rule I (3), [clause (3) of schedule I] or who infringe the provision of section 21 of the Act by delivering arms into the possession of any person without previously ascertaining that he is legally entitled to possess them render themselves liable to punishment.

(Home Dept. letter No. 1063, dated the 12th July 1895).

(14). *Clauses* (3) and (5).—The following class of officers are exempt:—

Madras —

a. Superintendents of Jails and Jailors.

b. All police officers of and above the rank of Police Sub-Inspector.

c. Superintendents, Inspectors of Post offices and Mail overseers.

d. All Gazetted officers of the Forest Department, Forest Rangers and Foresters.

e. All Assistant Commissioners, Inspectors of the Salt and Abkari Department.

(G. O. No. 2014, dated the 26th October 1892.)

This order lays down also the classes of officers who are required to carry arms for the performance of their duty within the meaning of section 1 (*b*) of the Indian Arms Act and the occasions or kinds of duty at which such carrying of arms is necessary.

The officer thus authorized and the occasions when the carrying of arms is permissible, are:—

a. Deputy Jailors and Warders of all grades in the Jail Department when on actual duty.

b. Head Constables and Constables in the Police Department, when escorting prisoners or treasure, when any serious breach of the peace occurs or is anticipated, and when they visit villages on beat duty at night or patrol high roads.

Ghat Talaries.—When they assist the regular police in guarding road and hill passes.

c. Sub-Inspectors, petty officers and peons in the Salt and Abkari Department, while—

i. Forming part of a treasure escort.

ii. On preventive duty, and when they apprehend any resistance (with the previous order in writing of the Inspector of the Circle).

Petty officers and peons in the Salt and Abkari Department while on treasury, platform or line guard duty.

And all Civil pensioners who, when in service, were exempt.

(Madras Government Notification No. 432, dated the 26th Oct. 1892).

(Ditto ditto 53, „ 31st June 1893).

(Ditto ditto 1774, „ 14th Oct. 1907).

(Ditto ditto No. 521, dated the 8th November 1906.

Bengal.—

(1). All officers of the Northern India Salt Revenue Department of and above the rank of an Inspector serving in the Administration of the Government of Bengal.

(2). All Salt Officers employed under the Lieutenant-Governor of Bengal.

This clause was substituted for the original clause (2), by Notification No. 1557 J. D. dated the 22nd June, 1900.

(3). All Excise Officers actually drawing Rs 100 or upwards, per mensem.

(4). All pensioned officers of the above departments who were exempt before retirement.

(Notification No. 3030, dated the 16th November, 1900 and previous Notification).

The following officers of the Police, Forest, Postal and Jail Departments.

Police Dept.—Police Officers of and above the rank of Sub-Inspector.

Forest Dept.—Forest Rangers and Officers of superior rank.

Postal Dept.—All Superintendents of Post Offices and officers of higher rank and all Post Masters, Deputy Post Masters, Assistant Post Masters whose minimum pay is not less than Rs 100 per mensem.

Jail Dept.—Officers of and above the rank of jailor.

Following pensioned officers :—

Police Dept.—Inspectors of Police and officers of higher rank.

Forest Dept.—Extra-Assistant Conservators of Forests and officers of higher rank.

Following officers in respect of such arms as they carry for protection in the execution of their duty :—

Police Dept.—Police Officers below the rank of Sub Inspectors.

Forest Dept.—Forest guards, Foresters and Forest Rangers.

(Notification Nos. 211 and 217 P. dated the 11th June 1908).

United Provinces.—

All native Gazetted Officers of the Opium and Telegraph Departments.

All Police Officers above the rank of Head Constable, 1st grade.
All Forest Officers of and above the rank of Ranger.
All Gazetted Post Office officials.
All Darogahs of the Jail Department and all Officers of the Northern India Salt Department of and above the rank of Inspector.

(Notification No. 241 dated the 19th January 1895).
(" 1511 " 2nd June 1901).
(" 2147 " 7th July 1891).
(" 2329 " 14th August 1891).
(" 1418 " 1st June 1893).
(" 471 " 28th February 1893).

Postal employes who are authorised by, or under the authority of, the Post Master General to carry arms when on duty are covered by

Section 1 (*b*) of the Arms Act, and are exempt from the necessity to take out licenses for such arms.

The Post Master General will furnish the Magistrate of each district, with a list of the postal employes in the district whom he has authorised to carry arms in the course of their duty, or of officers the incumbents of which are so authorised. He will also specify in the list the weapons authorised in each case, and the circle within which it may be carried.

(Notification No. 3389-90, dated the 22nd November 1898).

Punjab.—

The following officers of the Police, Forest, Postal, Telegraph, Jail, Medical, Salt, Opium and Excise Departments.

Police Department	...	All Inspectors and Sub-Inspectors of Police.
Forest "	...	Forest Rangers and officers of superior rank.
Postal "	...	All Superintendents of Post Offices, Post Masters, Deputy Post Masters and Assistant Post Masters whose appointments are notified by the Director General of Post Offices in the *Gazette of India* and such other Postal officials as may from time to time be specified by the Postmaster-General, Punjab, by order in writing on this behalf.
Telegraph "	...	Officers of and above the rank of Telegraph Masters.
Jail "	...	All Jailors, Deputy Jailors and 1st grade Assistant Jailors.
Medical "	...	All Officers holding the appointment of Civil Surgeon.
Salt "	...	Officers of and above the rank of Inspector.
Excise "	...	~~All Excise Darogahs.~~ Inspectors + S.

All pensioned officers of the Civil Department who when employed, were exempt from certain prohibitions and restrictions contained in the Indian Arms Act under the notification by the Punjab Government, No. 1639, dated 20th November 1909, or would have been so exempt had that Notification been in force during their active service, shall continue to be exempt to the same extent as they were before retirement.

(Notification No. 1639, dated the 20th November 1909).

NOTE.—Each District Superintendent of Police, shall maintain a list of arms held without a license by the Inspectors and Deputy Inspectors serving under his orders.

(Punjab Police Rules).

Burma.—

No. 155, dated the 10th April 1893, including footnote.
No. 114, dated the 13th May 1895
No. 217, dated the 28th July 1898.
Nos 237 and 238, dated the 18th August 1898.
No. 275 dated the 31st August 1903
No. 428, dated the 28th November 1903.

With reference to paragraph I, clauses (3), (8) and (10) of Home Department Notification No. 518, dated the 6th March 1879, as subsequently amended, and in supersession of this department Notifications cited in the margin, the Lieutenant-Governor is pleased to direct that the following persons shall be exempt from the operation of the prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act, 1878 (XI of 1878), other than those referred to in the preamble of the said paragraph :—

All officers of the Civil Police of and above the rank of Sub-Inspector, 1st grade.

All officers of the Military Police of and above the rank of Jemadar.

All officers of the Forest Department of and above the rank of Extra Assistant Conservator.

All officers of the Telegraph Department of and above the rank of Sub-Assistant Superintendent

All Superintendents of Jails.

All pensioned officers of the Provincial and Subordinate Civil Services and of the Police and Forest Departments who were, before their retirement, exempted by, or in pursuance of paragraph I, clause (3) or clause (4) of Home Department Notification No. 518, dated the 6th March 1879, by virtue of office.

All European officers of the Postal Department.

All Superintendents and Inspectors of the Burma Excise Department.

(Individual exemptions have been omitted).

(Judicial Dept. Notification No 314, dated the 9th September 1904).

Central Provinces.—

1. All Police Officers not below the rank of Head Constable.
2. All Jail Officers not below the rank of Jailor.
3. All Excise Officers not below the rank of Inspector.
4. (*a*). Officers of the Forest Department not below the rank of Deputy Ranger.

   (*b*). Foresters, Forest Muharrir, and Forest Guards (in respect of swords).

5. The following officers of the Postal Department, *viz* :—

   (*a*). Superintendents of Post Offices.

   (*b*). Inspectors of Post Offices.

   (*c*). Mail Overseers, Camp peons of Deputy Post Master Generals and Superintendents of Post Offices, village Postmen and Chaukidars (in respect of swords).

In accordance with the suggestion made in a letter (No. 2828—71 D. G., dated the 11th June 1901), from the Deputy Post Master General, the Chief Commissioner has not exempted mail peons and mail overseers. But the Deputy Commissioners will grant licenses free of charge to any of these officials on whose behalf the Deputy Post Master General may apply.

If any individual of class (c) requires more than a sword, the Deputy Post Master General may apply to the Deputy Commissioner of the District, for a license for what may seem to him necessary, and the Deputy Commissioner concerned will give it free of cost).

(C. C. of the C. P. Notification No. 3986, dated the 4th July 1891).
(" " " " 6931, dated the 20th July 1901).

Coorg.—

Forest officers of and above the rank of Rangers.
(Notification No. 25 dated the 1st November 1897).

(15). The words "all pensioned officers of the native army" include Non-Commissioned Officers of the Native Army, and pensioned officers of the Imperial Service Troops.
(Home Dept. letter No. 1779, dated the 4th November 1881 and U. P. G. O. No. 217, dated the 28th June 1900).

A pensioned Army Hospital Assistant and a pensioned Dafadar of a Bengal Cavalry are exempt within the meaning of clause (5).
(Home Dept. letter No. 1502, dated the 6th June 1900).
(Home Dept. No. 1225, dated the 3rd March 1901.

Indian officers holding the appointment of Civil Surgeon, who are not members of the Indian Medical Service are also exempt under this clause.
(No. 441-VI 261, dated the 9th February 1909).

(16). *Clause* (13).—The words "and Europeans" have been added after the words "Americans" as it seemed right that Europeans travelling in India should be exempted just as Americans are.
(Home Dept. O. M. No. 17/519-528, dated the—March 1879).

(17). Indo-Portuguese as a class are not East Indians within the meaning of this clause.
(Home Dept. letter No. 140, dated the 29th January 1884).
(Home Dept. letter No. 778, dated the 23rd April 1891).

(18). In order to determine in what cases Americans and Europeans not being British-born subjects of His Majesty, should be held to be exempted persons, the Government of India have decided that all Americans and Europeans who are not natural born or naturalized subjects of His Majesty are exempted persons only so long as they are temporarily residing or temporarily travelling in India but they cease to be exempted when they have settled in India or have no intention of leaving India.
(Home Dept. letter No. 122, dated the 13th January 1908).

The Government of India have ruled that all Europeans who have not adopted an Indian domicile are entitled to the benefit of the

LIBRARY

exemption granted by paragraph I, clause (5), of the rules issued under the Act and that a person who is exempted, under rule I, clause (3), in his capacity as a volunteer does not forfeit that exemption by reason of the fact that he may not be eligible for exemption under the provisions of rule I (5) of the rules under the Act.

(Home Dept. letter No. 606-614, dated the 13th February 1909).

(19). It appears that there have lately been some convictions in the Pegu District of Burmans with whom Europeans or Eurasians had left their guns. Public notice should be given that firearms left with unlicensed Burmans are liable to be confiscated. In the Chief Commissioner's opinion Magistrates should invariably confiscate under section 24 of the Arms Act, arms which are seized under section 13.

2. The Government of India, in Home Department Notification No. 518, dated the 5th March 1879, exempts from the greater part of the Arms Act "East-Indian subjects of Her Majesty the Queen-Empress." As doubts have been expressed as to the meaning of the term "East-Indian" the Chief Commissioner takes this oportunity to say that it does not, as he is advised, differ from the term "Eurasian" and may be taken to mean a person domiciled in India who is of mixed descent, *i.e.*, one of whose ancestors was a native of some place other than India. It does not include pure Asiatics who wear European clothes or call themselves by European names.

(Burma Govt. resolution No. 2A—13, dated the 25th May 1894, and Circular No. 36 of 1894).

(20). It was clearly not the intention of the Government of India to use the term "East-Indian" in the rules under the Arms Act in any but its generally recognized sense, and the Chief Commissioner considers that, in order to be exempt from the provisions of the Arms Act as a Eurasian the person seeking exemption must fulfill the following conditions:—

1. One of his parents must be either a European or a person of mixed Indo-European descent.

2. For the purposes of the above condition the term European should include.

   (*a*). Persons domiciled in Europe.

   (*b*). Persons elsewhere domiciled who are descended from persons whose domicile was in Europe.

3. He must hold to European modes of life and dress.

The third of the above conditions is required in order to exclude persons whose European ancestors are remote and who have taken to native habits, from the privilege accorded to Eurasians proper.

The above definition should be followed until the superior courts give a judicial interpretation to the term "East Indian."

(Burma Govt. Circular No. 97, of 1894).

(21). The exemption under this clause does not extend to:—

Mr. F. Earle and Mr. T. Angelo in the United Provinces.
(Home Dept No. 2314 of the 16th October 1904).
(Home Dept. No. 1320 of the 8th June 1906).

(22). Words have been added to provide that in the case of Ruling Chiefs entering British India, the Political Officer shall, subject to such instructions as he may receive, settle the number of armed retainers that may travel with their masters in British India
(Home Dept. O M No 17/519-528, dated the 6th March 1879).

(23). In the case of subjects of Native States the Political Officer concerned shall decide as to what persons are entitled to the benefit of the exemption under this clause.
(Foreign Dept. Circular No 2962 I, dated the 4th August 1904).
(" " " 2724-I, dated the 17th July 1884).

(24). *Clause* (15) (*a*).—The members of the Mercara Municipal Committee and the *vice* President of the Virajendrapet Municipal Committee for the time being are exempt, provided that except where otherwise expressly stated, the arms or ammunition carried or possessed by such persons shall be for their own personal use and the latter shall not exceed the following quantities which the Chief Commissioner is pleased to declare to be reasonable for them to carry or possess :—

a. Black powder to an amount not exceeding 20lbs or Schultz's or sporting powder other than black to an amount not exceeding 10lbs.

b. Loaded cartridges or empty cartridge cases not exceeding 500 in number, with the necessary implements for loading, etc;

c. Percussion caps not exceeding 2,000 in number, and

d. Shots, bullets, flints and wads in such quantities as are ordinarily required for sporting purposes.

Provided that there shall not be kept in the same house or premises more than the quantities herein specified.

(Notification No. 21, dated the 24th June 1899).

(25). *Clause* (15) (*c*).—The following are the descriptions and quantities of ammunition which persons of Coorg race and Jamma tenure-holders liable by their tenures for police and military duties, are permitted to possess for their private use :—

* * * * *

Note.—The quantities specified are identical with those prescribed in Notification, No. 21, dated 24th June 1899 *supra*. (*Vide note No.* (24) *above*).

(Notification No. 29, dated 10th November 1897).

(26). *Clause* (16).—Throughout the territories subject to the Government of Bombay other than Sind, Aden and Perim, swords are the arms necessary to the village police for the performance of their

duties, in respect of which they are exempted from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act, 1878.

(Bombay Govt. Notn. No. 4568, dated the 8th August 1887).

(27). Thokdars in the Kumaon Division are exempt in respect of one muzzle loading gun and one sword only.

(G. O. No 2623, dated the 16th August 1900).

(28) Every village head-man appointed under the rules published under Notification No. 240, dated the 19th January 1895, is exempt within the limits of the districts of which he is a resident from the operation of all prohibitions and directions contained in sections 13, 14, 15 and 16 of the Indian Arms Act in respect of a sword.

As a general rule village head-man should not be permitted to carry the swords in respect of which they have been exempted beyond the limits of their own district There is no objection, however, to extending the privilege of carrying a sword beyond the limits of his own district in the case of any specially deserving head-man; and Commissioners are at liberty to authorize Magistrates to issue licenses for such purpose in selected cases. The license, if countersigned by the Commissioner, will then cover the possession of a sword by the head-man in any district in these provinces.

Village head-men of good position or meritorious service may be considered as having a claim to be allowed a gun-license superior to the claims of other residents in the villages.

(G. O. No. 3580-3533, dated the 19th October 1900).

(G. O. No. 3576-3578 C., dated the 19th October 1900).

(G. O No. 140 C., dated the 9th January 1895).

(29). *Clause* 18.—The exemption under this clause does not extend to.—

M. Ry. S. K. Ramasami Kamayya Naikar Avergal in the Madras Presidency.

(Home Dept Notification No. 1310, dated the 8th June 1906).

(30). The term retainers may be held to include superior officials in the employ of exempted Zemindars, and District Magistrates can extend to Revenue officials (not Magistrates) where necessary for the reqirements of the service, the exemption granted to Magistrates by clause (4). Retainers of Native Chiefs are exempted persons however should not be armed with rifles.

(Madras G. O. No. 1067, Mis., dated the 23rd June 1890).

SCHEDULE II.

RULE 3.

ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

2. Within the areas specified in the first column of the subjoined table, the arms, ammunition and military stores described in the second column are exempted from the operation of such prohibitions and directions contained in the Act as are indicated in the third column.

The Table.

Area.	Arms ~~or~~ ammunition. or mili-	Prohibitions and directions.
British India	Bows and arrows;	All.
	Uniform swords and dirks manufactured in Europe of recognized military or official patterns, when possessed by, or intended to be supplied to persons entitled to wear them as part of their uniforms;	Do.
	Swords imported for presentation as Army or Volunteer prizes; and	Do.
	Ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords and theatrical and fancy dress swords, provided that they are virtually useless for offensive and defensive purposes;	Do.
	Toy cannon weighing less than 56 lbs. and having— (*a*) a calibre of less than one inch,	Do.

SCHEDULE II—*continued.*

The Table.—continued.

Area.	Arms or ammunition.	Prohibitions and directions.
British India	(*b*) a length of bore of less than 24 inches, and (*c*) the interior of the bore unrifled.	All.
	Gunwads and wire-cartridges	Those contained in section 6.
	All arms, ammunition and military stores covered by any license or exemption granted in Berar under the law for the time being in force relating to arms, ammunition and military stores ; provided that the conditions of such license or exemption are observed	All.
British India, excepting Burma, Aden, and all districts on the external land-frontier of British India.	(1) Lead required *bona fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) up to any quantity.	Do.
	(2) Leaden bullets and bird shot in quantity not exceeding such limits as the local Government may fix.	Do.
	(3) Saltpetre ...	Do.
	(4) Sulphur in quantities not exceeding such limits as the local Government may fix.	Do.

SCHEDULE II.

The Table.—continued.

Area.	Arms or Ammunition.	Prohibitions and directions.
Burma, Aden and all districts on the external land-frontier of British India.	Lead required *bona fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) in quantities not exceeding such limits as the local Government may fix.	All.
Burma	Sulphur, not exceeding one seer.	Do.
Aden and all districts on the external land-frontier of British India.	Sulphur, not exceeding ten seers.	Do.
Burma and all districts on the external land-frontier of British India.	Saltpetre required for medicinal or goldsmith's purposes in quantities not exceeding 10 lbs.	Do.
The Madras Presidency.	Spears.	Do.
The Bombay Presidency—		
(*a*) generally,	Spears and hunting knives.	Do.
(*b*) in any district, or part of a district, which the Government may declare to come within this exemption.	Katyars used in Mahratta marriage processions.	Do.
The province of Bengal—		
(*a*) generally,	Kukris and daos.	Do.
(*b*) in the district of Angul,	Swords.	Do.

SCHEDULE II—*continued.*

The Table—continued.

Area.	Arms or ammunition.	Prohibitions and directions.
The province of Bengal—		
(*c*) in the districts of Shahabad, Patna and Gaya,	Swords carried by tahsildars or peons when employed in the collection, custody or remittance to Treasuries of water-rates.	All.
(*d*) in any district, or part of a district, which the local Government may declare to come within this exemption.	Spears.	Do.
The United Provinces of Agra and Oudh—		
(*a*) in the Kumaon division and the Dehra Dun district,	Kukris.	Do.
(*b*) in any district, or part of a district, which the local Government may declare to come within this exemption	Spears.	Do.
Burma—		
(*a*) generally,	Dahs intended exclusively for domestic, agricultural or industrial purposes.	Do.
(*b*) in the Arakan Hill Tracts.	Spears.	Do.

SCHEDULE II.—*concluded.*

The Table.—concluded.

Area.	Arms or ammunition.	Prohibitions and directions.
The province of Eastern Bengal and Assam—		
(*a*) generally,	Kukris.	All.
(*b*) in any district or part of a district, which the local Government may declare to come within this exemption,	Spears.	Do.
(*c*) in the Garo Hills and the Cachar, Lushai Hills, Naga Hills and Khasi and Jaintia Hills districts.	Swords and daggers.	Do.
The Central Provinces.	Spears and hunting knives.	Do.
Coorg.	Ditto	Do.

Notes.

(Vide *Note* 9) *to section* 4 *of the Act.*

Lead cutting swords imported by Native Cavalry regiments are under section 1 (*b*) of the Arms Act exempt from the operation of the Act and the rules thereunder.

(Home Dept. letter No. 8-869-878, dated the 29th March 1897.)

In the District of Poona *Katyars* or small daggers which are used in marriage processions are excluded from the operation of the Act.

(Bombay Govt. Notn. No. 3563, dated the 4th May 1897.)

Masonic swords when not imported for sale should be admitted without license under the second clause of section 6 of the Act, a license being required when they are intended for sale.

(Home Dept. letter No 1880 83, dated the 19th June 1897.)

A sword or other similar weapon carried in marriage processions in the province of Sind may be allowed to be carried free of license fee with the permission of the local Magistrate. The weapon should be borrowed from some person who possesses a license, and the borrower should be required to state in his application the name of the licensed owner from whom he proposes to obtain the temporary use of the weapon.

(Home Dept. letter No. 1641, dated the 28th July 1899.)

The following patterns of air-guns have been declared to be toys and should not therefore be treated as arms for the purposes of the Indian Arms Act, 1878, and the rules framed thereunder :—

1.—The Britannia

2.—The Gem (two kinds).

3.—The Jewel.

4.—The Militia.

5.—The Birmingham small arms (ladies' model).

(*Vide* Madras Govt. Notn. No. 680 dated the 19th December 1908 and U. P., G. O. No 61, dated the 7th January 1909.)

SCHEDULE III.

ARMS, AMMUNITION AND MILITARY STORES EXEMPTED.

(RULE 3.)

3. The arms, ammunition and military stores described in the subjoined table are exempted from the operation of prohibitions and directions contained in section 6.

The Table.

I. Any arms, ammunition or military stores brought into and landed in bond at or brought into into any port in British India and declared under manifest to be consignments for any port to which export from the port of shipment is permitted under the rules for the time being in force.

II. Any arms, ammunition or military stores brought into the port of Aden and consigned, whether with or without transhipment, from any other British port to any other port, other than a port on the eastern sea-board of Africa to which the shipment of arms is for the time being forbidden by an order signed by the Resident at Aden.

SCHEDULE IV.

(RULE 3.)

PARTS OF BRITISH INDIA WITHDRAWN.

4. The areas specified in the first column of the subjoined table are withdrawn, in respect of the arms and ammunition described in the second column, from such prohibitions and directions contained in the Act as are indicated in the third column.

The Table.

Areas	Arms and ammunition.	Prohibitions and directions.
(1) All Scheduled Districts in the Madras Presidency.	All, except rifled arms and cannon.	All, except those contained in sections 12 and 25.
(2) The Chittagong Hill Tracts of Eastern Bengal and Assam.	All	Those contained in sections 13 and 14.
(3) Ajmer-Merwara and those parts of the Mirzapur district in the United Provinces of Agra and Oudh which are situated on the right bank of the river Sone.	All, except cannon ...	Ditto.
(4) The lands ceded to the British Government by His Highness the Nawab of Bahawalpur, which are, or may hereafter be, occupied by the North-Western Railway (including the lands occupied by stations, by out-buildings and for other railway purposes) and lie between the stations of Bahawalpur and Walhar.	All	Those contained in sections 14 to 16 : Provided that a person who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger trains shall not be entitled to the benefit of this exemption.

SCHEDULE IV—*continued.*

The Table—continued.

Areas.	Arms and ammunition.	Prohibitions and directions.
(5) The lands lying within the state of His Highness the Nawab of Bahawalpur which are, or may hereafter be, occupied by the Southern Punjab Railway (including the lands occupied by stations, by out-buildings and for other railway purposes) and so much of the said lands as lie between the stations of Samasata and Shujawalpur.	All	Those contained in sections 14 to 16. Provided that a person, who refuses or omits to comply with any regulation or rule of the Railway for the time being in force relating to the custody of arms while in passenger trains shall not be entitled to the benefit of this exemption
(6) The lands which are, or may hereafter be, occupied by the Rajputana Malwa Railway in the Nimar district of the Central Provinces, (including the lands occupied as stations, outbuildings and for other railway purposes) between the stations of Mortakka and Nimar Kheri.	All	Ditto.
(7) The following parts of the Punjab, namely :— (*a*) the parganas of Lahaul and Spiti ; (*b*) all parts, other than any area included in a Municipality of the Dera Ghazi Khan district.	All (not being carried by members of trans-border tribes) except rifles, pistols, revolvers and daggers	Those contained in section 13.

SCHEDULE IV—*continued.*

The Table—continued.

Areas.	Arms and ammunition.	Prohibitions and directions.
(8) The following parts of the Punjab, namely :— (*a*) The parganas of Lahaul and Spiti. (*b*) The Dehra Ghazi-Khan district. (C)	All (not being possessed by members of trans-border tribes) except rifles, pistols revolvers and daggers, and rifle, pistol and revolver ammunition.	Those contained in sections 14 and 15.
(9) The following parts of the North-West Frontier Province, namely :— (*a*) All parts other than any area included in a Cantonment or Municipality of the Peshawar, Kohat Bannu and Dehra Ismail Khan districts. (*b*) The Jagir of the Nawab of Amb, known as the feudal Tanawal (including the Phulera Jagir). (*c*) The villages other than the Municipality of Baffa enumerated in the schedule to the Notification of the Government of the Punjab in the Home Department, No. 2460 dated the 3rd July 1879.	All (not being carried by members of trans-border tribes) except rifles, pistols, revolvers and daggers.	Those contained in section 13.

SCHEDULE IV—*concluded.*

The Table – concluded.

Area.	Arms and ammunition.	Prohibitions and directions.
(10) The following parts of the North-West Frontier Province, namely :— The whole of the North-West Frontier Province with the exception of those villages of the Hazara District which are not enumerated in the schedule to the notification of the Government of the Punjab, in the Home Department, No. 2460, dated the 3rd July 1879.	All (not being possessed by members of trans-border tribes) except rifles, pistols, revolvers and daggers, and rifle, pistol and revolver ammunition.	Those contained in sections 14 and 15.

SCHEDULE V.

OFFICERS EMPOWERED TO GRANT LICENSES FOR EXPORT BY SEA TO PORTS IN NATIVE STATES, OR TO FOREIGN TERRITORY.

(RULE 17.)

1	2	3	4
Officers.	Ports from which they may grant licenses to export.	Ports to which they may grant licenses to export.	Conditions.
(1) The Chief Secretary to the Government of Madras.	Any port in British India.	Ports in Native States or foreign settlements within the political jurisdiction of the Government of Madras.	...
(2) The Secretary to the Government of Bombay in the Political Department.	Ditto.	Ports in Native States or foreign settlements within the political jurisdiction of the Government of Bombay, or to ports within the territories of His Highness the Gaekwar of Baroda	...
		Ports within the political jurisdiction of the Political Resident in the Persian Gulf.	
		Any ports on the coast of Africa.	
		Ports within the political jurisdiction of the Political Resident in Turkish Arabia.	For sporting shot guns, and sporting ammunition only, not intended for sale or for military purposes, but for the private use of the consignee.

SCHEDULE V—*concluded.*

1	2	3	4
Officers.	Ports from which they may grant licenses to export.	Ports to which they may grant licenses to export	Conditions.
(3) The Commissioner in Sind.	Karachi ...	Ports within the territory of His Highness the Rao of Kutch.	...
		Ports within the political jurisdiction of the Political Resident in the Persian Gulf.	
		Ports within the political jurisdiction of the Political Resident in Turkish Arabia	For sporting shot guns, and sporting ammunition only, not intended for sale or for military purposes, but for the private use of the consignee.
(4) The Political Resident at Aden.	Aden ...	Any port on the coast of Africa or Arabia (other than a port on the latter coast which is within the political jurisdiction of the Political Resident in Turkish Arabia).	...
		Any port on the coast of Arabia which is within the political jurisdiction of the Political Resident in Turkish Arabia.	For sporting shot guns, and sporting ammunition only, not intended for sale or for military purposes, but for the private use of the consignee.
(5) The Agent to the Governor, Kathiawar, and the Political Agent, Kutch.	Bombay and Karachi.	Any port in the Native States under their political charge.	...
(6)* The Agent to the Governor-General and Chief Commissioner in Baluchistan, and the Political Agent in Kalat.	Any port in British India.	Any port on the Makran Coast which is within their political jurisdiction.	...

*Foreign Department Notification No. 336 G., dated the 11th February 1910.

SCHEDULE VI.

OFFICERS EMPOWERED TO GRANT LICENSES FOR EXPORTS BY LAND OR RIVER TO ANY PLACE BEYOND THE FRONTIER OF BRITISH INDIA.

(RULE 18).

1 Officers.	2 Place.	3 Conditions.
(1) A Secretary to the Government of :— (*a*) Madras. (*b*) Bombay. (*c*) Bengal.	Any Native State	For the export of ammunition intended solely for the use of a public railway or other public work.
(2) The Commissioner of Police in Madras	Any of the French Settlements in the Madras Presidency.	To persons who would be exempted in British India from the ordinary prohibition of the Arms Act and subject to the following conditions, so far as those conditions apply to the circumstances of the case :— (*a*) The consignment for export must consist only of arms and ammunition in reasonable quantities and for personal use. (*b*) The consignee must belong to one of the classes of persons mentioned in schedule I of these rules. (*c*) The Commissioner will keep a list of such licenses.
(3) The Commissioner of Police in :— (*a*) Madras. (*b*) Bombay. (4) The Deputy Commissioner of Police in Calcutta.	Any Native State	Subject to the conditions specified below namely, (*a*) The consignment for export must consist only of arms and ammunition in reasonable quanities and for personal use.

SCHEDULE VI.—*continued.*

(RULE 18).—*continued.*

1 Officers.	2 Place.	3 Conditions.
		(*b*) The consignee must belong to one of the classes of persons mentioned in schedule 1 of these rules. (*c*) The Commissioner or Deputy Commissioner will keep a list of such licenses. (*d*) No such officer may grant a license for the export to a Native State of any arms of the kind specified in Rule 8, sub-rule (1) (*a*) and (*b*) as modified by clause (2) unless such arms have been lawfully imported into British India, and are required for the perso nal use of persons of the classes mentioned in Schedule I of these Rules.
(5) The District Magistrate of Malabar.	Mahè	.....
(6) The Secretary to the Government of Bombay in the Political Department.	Portuguese India	.....
(7) (*a*) The Chief Secretary to the Government of Fort St. George.	Pondicherry and the other French Settlements in the Madras Presidency.	.....
(*b*) The Chief Secretary to the Government of Bengal.	Chandernagore	.....

SCHEDULE VI.—*continued.*

(RULE 18)—*contd.*

1 Officers.	2 Place.	3 Conditions.
(8) The District Magistrate of Meerut.	Any Native State	For the export of ammunition only to Native States; and for the export of arms and ammunition to Kurram, Chitral and Waziristan, subject to the following conditions :—
(9) The District Magistrate of Meerut.	Kurram, Chitral and Waziristan.	(*a*) The consignment for export must consist only of sporting ammunition sporting arms and ammunition in reasonable quantities for the personal use of the consignee: (*b*) The consignee must belong to one of the classes of persons mentioned in schedule I of these rules. (*c*) The Magistrate should keep a list of all licenses issued by him. (*d*) Copies of licenses covering consignments to States in Central India or Rajputana should be sent to the Agents to the Governor-General in Central India and Rajputana, respectively. In the case of Chitral, when the ammunition is to be exported *viâ* Peshawar, the Magistrate should send a copy of the license to the Political Agent for Dir, Swat and Chitral for communication, when necessary, to the Assistant Political Agent in Chitral. If the consignment is forwarded *viâ* Kashmir, a copy of the license should be sent to the

SCHEDULE VI—*continued.*

(Rule 18).—*contd.*

1 Officers.	2 Place.	3 Conditions.
		Resident. In the case of Waziristan, the Magistrate should refer to the Political Agent, Tochi, or the Political Agent, Wana, according as the consignment is for Tochi or for elsewhere in Waziristan.
(10) The District Magistrate of Rawalpindi.	Kashmir ...	Subject to the following conditions:— (*a*) The consignment for export must consist only of sporting ammunition in reasonable quantities for the personal use of the consignee. (*b*) The consignee must belong to one of the classes of persons mentioned in Schedule I of these rules. (*c*) The Magistrate should keep a list of all licenses issued by him.
(11) (*a*) The Residents in :— (1) Hyderabad, (2) Mysore, (3) Baroda, (4) Nepal and (5) Kashmir.	Native States or territory under their political charge.	(*a*) no license shall be granted for the export of— (*i*) cannon ; or (*ii*) military stores of any kind other than sulphur ; or (*iii*) save as hereinafter provided, rifles of the ·303 or of ·450 bore ; or (*iv*) save as hereinafter provided, balled ammunition which can be fired from rifles of the bores specified in sub-head (*iii*).

SCHEDULE VI—*continued.*

1 Officers.	2 Place.	3 Conditions.
(*b*) The Agents to the Governor-General in :— (1) Baluchistan, (2) North-West Frontier Province. (*c*) All Political Officers in :— (1) Rajputana and (2) Central India. (*d*)) The Commissioner of Ajmere-Merwara. (*e*) The Commissioner in Sind. *(*f*) The Agent to the Governor, Kathiawar. (*g*) The Political Agents in :— (1) Kolhapur and Southern Mahratta Country,	Native States or territory under their political charge.	(*b*) licenses for the export of rifles of the bores there specified may be granted to persons of the classes mentioned in schedule I, subject to the condition that the rifles have been lawfully imported into British India. (*c*) licenses for the export of cartridges of the nature there specified may be granted to persons of the classes mentioned in schedule I, subject to the conditions that the number of such cartridges does not exceed two hundred in any one year and that they are for the personal use of the licensees.

* For Dept. Notification No. 2420 G, dated the 30th November 1909.

SCHEDULE VI—*continued.*

1 Officers.	2 Place.	3 Conditions.
The Political Agents in : (2) Kutch, (3) Rewa Kantha, (4) Mahi Kantha, (5) Savant w a d i, and (6) Palampur (*h*) All Political Officers in the Punjab. (*i*) The Political Agent in Hill Tippera. (*j*) The Political Agent, Orissa Fuedatory States. (*k*) The Commissioner of Chota Nagpur. (*l*) The Resident in Travancore and Cochin. (*m*) The Polical Agents for :— (1) Pudukota, (2) Banganap a l l e and (3) Sandur.	Native States or territory under their political charge.	

SCHEDULE VI—*continued.*

1 Officers.	2 Place	3 Conditions
(*n*) The Political Agents in :— (1) Quetta-Pishin, (2) Sibi and (3) Kalat. (*o*) The Collectors and Political Agents:— (1) Surat, (2) Satara, (3) Thana, (4) Kolaba, (5) Dharwar, (6) Kaira, (7) Sholapur, (8) Poona, (9) Nasik (10) Bijapur and (11) Sukkur. (*p*) The Political Agent in Manipur. (*q*) The Deputy Commissioner in the Khasi and Jaintia Hills (*r*) The Political Officer in Sikkim, Gangtok (*s*) All Political Agents and Deputy Commissioners in the North-West Frontier Province.	Native States or territory under their political charge.	
(*t*) (12) The Secretary to the Government of Bombay in the Political Department.	Any place within the political Jurisdiction of His Britannic Majesty's Consul General and Agent of the Government of India in Khorasan or of His Britannic Majesty's Consul for Seistan and Kain, or of His Britannic Majesty's Consul at Turbat-i-Haidari.	

(13)

SCHEDULE VII.

[RULES 35 AND 39.]

FORM No. I.

[RULES 6, 21 AND 25.]

Page 124. Line 5. After "torpedo service" *add* "war-rockets or" war-rockets

License for the *import* / *transport* / *possession* *of canon, articles designed for torpedo service, machinery for the manufacture of arms or ammunition.*

Name, description, and residence of licensee and agent (if any).	Number of packages.	Description, with specification of calibre of cannon or other article.	Number of articles.	COLUMNS TO BE FILLED UP IN CASES OF IMPORT OR TRANSPORT.			Period for which the license is valid.	Use to which the articles are to be put.
				Place of despatch and route.	Place of destination.	Name, description and residence of consignee.		
							From the _____ to the _____ _____ 19 .	

The _____ of _____ _____ 19 . } Date on which, in cases of import or transport, a copy is sent to the _____ Commissioner of Police, _____ Magistra e f the _____ district.

Seal.

(Signature.)

Secy. to the Govt. of India, *Home* / *Foreign* *Department.*

The _____ *of* _____ 19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878, (XI of 1878), and of the Indian Arms Rules, 1909.

2. In cases of import or transport:—

(*a*) bulk shall not be broken before the articles reach the place of destination; and

(*b*) the articles shall be delivered only to a person lawfully entitled to receive them.

3. In cases of import by land or river or of transport, an account of the contents of each package shall be legibly written thereon.

4. In cases of transport by rail, each package shall be marked with the word "Cannon", or as the case may be, in such a manner as to be readily recognizable by the railway authorities.

SCHEDULE VII.—*continued.*

FORM No. II.

[RULES 9 AND 10.]

FEE.—

(*a*) where granted under rule 9 (1) (*d*), FREE OF ALL FEE,

(*b*) where granted under rule 10, ONE RUPEE IN STAMPS ; or

(*c*) in any other case, TEN RUPEES IN STAMPS.

License for the import of arms, ammunition or military stores into the port of.—

Name, description and residence of licensee and agent (if any.)	Number of packages.	Arms.		Ammunition or military stores.		Purpose for which required.	Value of the firearms per piece.	Place where articles are to be deposited or to which they are to be despatched.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.				
									From the _____ _____ to the _____ _____ 19 .

The _____ of _____ _____ _____ 19 .

Seal.

(Signature.)

Commissioner of Police, _____

Magistrate of the _____ *district.*

Secy. to the Govt. of Madras.

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878, (XI of 1878), and the Indian Arms Rules, 1909.

2. An account of the contents of each package shall be legibly written thereon.

3. The articles shall be either—

(*a*) deposited at Aden in such Government ware-house as the Resident may from time to time appoint in this behalf, and elsewhere in a ware-house.—

(*i*) appointed under section 15 of the Sea Customs Act, 1878 (VIII of 1878), or

(*ii*) licensed under section 16 of the said Act, and sanctioned under section 7 of the Indian Arms Act, 1878, or

(*b*) forthwith despatched to their place of destination under a separate license, where such place is situated outside the port of import, for transport or export by land.

SCHEDULE VII.—*continued.*

FORM No. III.

[RULE 11.]

FEE.—

(*a*) where granted under rule 11 (1) FIVE RUPEES IN STAMPS;

(*b*) where granted under rule 11 (2) FREE OF ALL FEE.

License for the import of arms, ammunition or military stores by land or river, otherwise than into Ajmere-Merwara.

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Place of despatch and route.	Purposes for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number					
										From the———— ———— to the———— ————190 .

(Signature.)

Commissioner of Police _____

Seal.

Magistrate of the _____ *district.*

Political Agent for the _____ *State.*

The _____ of _____ 19 . } Date on which a copy is sent to the *Political Agent for the——State* [*rule II* (13)]. *Magistrate of the——district* [*rule II* (4)]. *Station Master at the——Station* [*rule II* (4)].

The ———— 19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and of the Indian Arms Rules, 1909.

2. The articles shall not be conveyed by any route other than that specified in column 7 ; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3, An account of the contents of each package shall be legibly written thereon ; and, where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms", "Ammunition" or "Military Stores", as the case may be, so as to be readily recognizable by the railway authorities.

SCHEDULE VII.—*continued.*

FORM No. IV.

[RULE 12.]

FEE.—

FIVE RUPEES IN STAMPS.

License for the import of arms, ammunition or military stores into Ajmer-Merwara.

Name, description and residence of licensee and agent (if any.)	Number of packages.	Arms		Ammunition or Military Stores		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.					
										From the——— ——— to the——— ———19 .

(Signature.)
Secy. to the Govt. of India, Foreign Dept.
Officer specially empowered under rule 12 (1) (c).

The———
of———
———19 .

Date on which a copy is sent to the
Commissioner of Ajmer-Merwara [r. 12 (2)].
Station Master at the——Railway Station [r. 12 (3)

The———19 .

The Conditions are the same as those of License Form III.

SCHEDULE VII—*contd.*

FORM No. V.

[RULE 16]

FEE—

(*a*) where granted under rule 16 (2) (*a*) to (*d*) TEN RUPEES, or in the case referred to in rule 39 (2) ONE RUPEE IN STAMPS ;

(*b*) where granted under 16 (2) (*e*), FREE OF ALL FEE.

License for the export by sea of arms, ammunition or military stores from the port of_____ to the port of_____ .

Name, description and residence of licensee and agent, (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Port to which consignment is to be despatched.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.		
							From the _____ to the _____ 19 .

The _____ *of* _____ _____ 19 . { Date on which the consent of the Commissioner of Police, _____ Magistrate of the _____ district, is obtained [r. 33 (1)]

(Signature).

The _____ *of* _____ _____ 19 . { Date on which a copy is sent to the Commissioner of Police, _____ Magistrate of the _____ district [r. 16 (4)].

Commissioner of Police,
Magistrate of the _____

The _____ 19 .

Conditions.

This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. Where the consignment is te be despatched to an Indian port the license shall not be valid for export to any port other than that entered in coulmn 7.

SCHEDULE VII—*contd.*

FORM No. VI.

[RULE 17.]

FEE—FIVE RUPEE IN STAMPS.

License for the export by sea of arms (other than cannon or rifles falling within the restriction imposed by rule 15), ammunition or military stores from the port of to the port of

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Place of despatch and route.	Purposes for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number					
										From the——— to the——— ———19 .

(Signature.)

Secretary to the Government of India, Foreign Dept.
Officer specially empowered under rule 27.

The ———19 .

[The Conditions are the same as those of License Form III.].

SCHEDULE VII—contd.

FORM No. VII.

[RULE 18.]

FEE—FIVE RUPEES IN STAMPS unless remitted or reduced under rule 39 (5).

License for the export by land or river of—

- *arms, ammunition or military stores to _____ in the State.*
- *arms (other than cannon), ammunition or military stores out of the district of Ajmer-Merwara.*
- *arms (other than cannon), ammunition or military stores to the State in the political charge of the Government of*

Name, description and residence of licensee and agent (if any).	Number of packages.	Arms.		Ammunition or Military Stores.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name and residence of consignee.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.					
										From the _____ to the _____ _____19 .

The _____ of _____ _____19 . { Date on which the consent of the Political Agent for the _____ State. / Commissioner of Police, _____ / Magistrate of the _____ District. is obtained [r. 33 (1)].

The _____ of _____ _____19 . { Date on which a copy is sent to the Political agent for the—State [r. 18 (3)] / Magistrate of the— District [r. 18 (4)] / Commissioner of Police.—[r. 18 (5) (a)] / Magistrate of the— District (r. 18 (5) (b)] / Station Master at the—Ry. Station [r. 18 (6).]

(Signature).

Secy. to the Govt. of India, Foreign Dept.

Officer specially empowered under rule 18.

Secy. to the Govt of Chief Commissioner

[The Conditions are the same as those of License Form III.]

SCHEDULE VII—*contd.*

FORM No. VIII.

[RULE 22].

FEE—TEN RUPEES IN STAMPS.

License for the transport of arms, ammunition or military stores.

Name, description and residence of licensee and agent (if any) authorized for the purpose of this consignment.	Licensee's place of business, if any.	No. of packages.	Arms.		Ammunition or Military Stores		Place of despatch, route and mode of transit.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valid.
			Description.	Number.	Description.	Weight in seers or number				
										From the ——— ——— to the ——— ——— ——— 19 .

The ____ of ____ ____ 19 . { Date on which the consent of the Commissioner of Police, ——— Magistrate of the ——— District is obtained [r. 33 (1)].

Seal.

(Signature).

The ____ of ____ ____ 19 . { Date on which a copy is sent to Comsr of Police. ——— [r. 22 (2) (a)] Magte of the ——— Dist [r. 22 (2) (b)] Magistrate at ——— [r. 22 (3)].

Commissioner of Police,
Magistrate of the ——— district

Resident / Assistant Resident in Baroda

The _____ 19 .

[The Conditions Nos. 1, 2 and 3 are the same as those of License Form III.]

4. The articles shall be delivered only to a person lawfully entitled to receive them.

SCHEDULE VII—*contd*

FORM No. IX.

[RULE 32 (1).]

FREE OF ALL FEE.

License for the possession and transport of gunpowder, fuses, dynamite, blasting gelatine and detonating caps required in good faith for blasting purposes.

Name, description and residence of licensee and agent (if any.)	Nature and quantity of explosive.	District or place in which the possession of the explosive is permitted under this license.	Period for which the explosive may be possessed in such district or place	To be filled up in cases of transport.		
				Place of despatch, route and mode of transit.	Period within which the transit must be completed	Place of destination and name of consignee.

Date. (Signature.)

Seal.

*Commissioner of Police,*_____
*Magistrate of the*_____*district.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878,) and of the Indian Arms Rules, 1909

2. It covers only the persons named, and the quantity of explosi material specified therein.

3. If the explosive is not intended for transport, the license exte ds only to the district or place specified therein.

4. If the explosive is intended for transport, then, before it may be transported, an account of the contents of each package shall be legibly written thereon ; and, where the explosive is transported by rail, each package shall be marked with the word or expression "Gunpowder," "Fuses," "Dynamite" "Blasting Gelatine" or "Detonating Caps," as the case may be, so as to be readily recognizable by the railway authorities.

5. The explosive shall not be conveyed by any route other than that specified in column 5 ; and the period of transit shall not exceed that specified in column 6.

6. Bulk shall not be broken before the explosive reaches its place of destination, as specified in column 7.

7. A person in charge of any cart containing explosive material transported under a license granted under rule 32 (1) shall not smoke or permit smoking on or dangerously near such cart.

SCHEDULE VII—*contd.*

FORM No. X.

[RULE 32 (2)].

FREE OF ALL FEE

General license to transport blasting material, applicable only to dealers in explosives, contractors and mining-agents.

A general license is hereby granted to _____ to transport from _____ to _____ _____ ordered by the consignee in good faith for blasting purposes.

This license shall continue in force till the _____ 19 .

Seal. (Signature.)

The _____ of _____ _____ 19 . } Date on which the consent of the Commissioner of Police, _____ Magistrate of the _____ district is obtained [r. 33 (1)].

Comr. of Police, _____ *Magte. of the* — *district.*

The _____ 19 .

* Here enter nature and quantity of explosive material to be transported.

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. The license shall cover only the nature and quantity of explosive material entered therein

3. Bulk shall not be broken before the material reaches the place of destination ; nor shall the material be taken from or to any place other than the places specified in the license.

4. The licensee and the consignee shall take out licenses for the possession of explosives under the Indian Explosives Act, 1884 (IV of 1884).

5. The rules to regulate the manner of transport of explosives published with the Notification of Government of India in the Department of Commerce and Industry, No. 4555-1, dated the 31st May 1907, shall be duly observed.

SCHEDULE VII—*contd.*

FORM No. X—*concld.*

6. Within twenty-four hours of the despatch of each consignment full information regarding the nature, quantity and place of destination thereof shall be furnished by the licensee to the authority granting the license and also—

(*a*) where the material is consigned to a Presidency-town, to the Commissioner of Police, or

(*b*) where it is consigned to any other place, the Magistrate of the district in which such place is situated.

7. The licensee shall, with each consignment of material conveyed by cart under cover of his license, issue a pass in the form appended hereto, specifying the places from and to which the material is to be conveyed and the quantity of the material covered by it.

Pass.

[Condition 7]

Pass to be granted by the holder of general license No. for the transport by cart of blasting material

No.

This pass covers packages containing *of †, being the property of while in transport from to

Signature of holder of general license No.

[*Endorsement on Form of Pass*]

(8) The person in charge of any cart containing explosive material transported under a license shall not smoke or permit smoking on or dangerously near such cart.

---

* Here enter quantity of material.

† Here enter nature of material.

SCHEDULE VII—contd.

FORM No. XI.

[RULE 24 (1) (a)]

FEE—TWENTY RUPEES IN STAMPS.

License to manufacture, convert, sell or keep and sell arms, ammunition or military stores (other than breech loading rifles, rifle ammunition or military stores for rifles.).

Serial number of license.	Name, description and residence of licensee.	Place of business, factory or shop.	Description of Arms.		Description of Ammunition or Military Stores.		Date on which the license expires.
			to be manufactured or converted.	to be sold or kept for sale.	to be manufactured.	to be sold or kept for sale.	
							In Burma— The 31st March, 19 . *Elsewhere*— The 31st December 19 .

(Signature.)

*Commissioner of Police*_____

Magistrate of the _____ *district.*

The _____ 19 .

Seal.

SCHEDULE VII—*contd.*

FORM No. XI—*contd.*

Form for renewal of the License.

Date and year of renewal.	Date on which the renewed license expires.	Signature of Commissioner of Police / Magistrate of the ——district

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. He shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand and of all sales, in such form as the local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police officer of a rank not below that of Inspector, or, if the local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English and in the Vernacular of the district his name and the words "Licensed to manufacture (or Licensed to deal in) arms, ammunition and military stores," as the case may be.

(2) He shall also affix in this place of business, factory or shop, a copy of section 28 either in English or in the Vernacular of the district.

SCHEDULE VII—*contd.*

FORM No. XI.—*contd.*

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form Nos. XVI, XVII, XVIII or XIX—

(*a*) the name, description and residence of the person who takes delivery of the articles sold,

(*b*) the nature and quantity of the articles sold, and

(*c*) the date of sale,

and shall sign the endorsement.

6. He shall not sell ammunition to any person licensed to possess or carry arms in excess of the maximum which may be fixed by the local Government for such person and which is endorsed on his license.

7. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory or shop specified in column 3.

8. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

9. He shall not keep Government arms, ammunition or military stores or, unless he is specially authorized in this behalf by the Local Government, keep or sell revolvers manufactured out of India or magazine pistols.

Explanation—For the purposes of this condition,—

(*a*) "Government arm" means a firearm or other weapon which is the property of the Government; and

(*b*) "Government ammunition" and "Government military stores," mean ammunition and military stores manufactured in any Government factory, or prepared for and supplied to the Government.

10. Where the license is granted in and for any local area in Eastern Bengal and Assam the licensee shall not sell arms or ammunition, without a special permit from a Magistrate, to any member of a hill-tribe to which the local Government may from time to time by notification apply this condition.

11. (1) Where the license is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell arms, ammunition or military stores to or to the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

SCHEDULE VII—*contd.*

FORM No. XI—*concld.*

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

(a) any Government official exempted under sections 27 from certain prohibitions and directions contained in sections 13 to 16, or

(b) any person whose name is included in a list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

12. (1) Where the license is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided sell arms, ammunition or military stores to or for the use of any person without the sanction in writing of the Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or to the use of—

(a) any person who is exempted under any of the articles (1) to (5), (9), (13), (14) or article (18), sub-head (d), of the table appended to schedule 1, from certain prohibitions and directions contained in sections 13 to 16, or

(b) any villagers residing in North-West Frontier Province and exempted under articles (22) and (23) of the table appended to schedule 1 from certain prohibitions and directions contained in sections 13, 14 and 15 of the Act,

(c) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

13. Save where the local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest Police station of the loss or theft of any arms, ammunition or military stores covered by the license.

SCHEDULE VII—*contd.*

FORM No. XII.

[RULE 24 (1) (*b*).]

FEE—TEN RUPEES IN STAMPS

License to keep and sell arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)

Serial number of license.	Name, description and residence of licensee.	Place of business or shop.	Description of		Date on which the license expires.
			Arms.	Ammunition or military stores	
					In Burma— The 31st March, 19 . *Elsewhere*— The 31st December, 19 .

(Signature)

Seal.

The _____ 19 .

Commissioner of Police, _____
Magistrate of the _____ *district.*

[The Form for renewal of the License is the same as that of License Form XI.]

SCHEDULE VII—*contd.*

FORM No XII—*concluded.*

Conditions.

1 This license is granted subject to provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. He shall maintain registers of all arms, ammunition and military stores in stock and of all sales, in such forms as the local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police officer of a rank not below that of Inspector or, if the local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business or shop a signboard, on which shall be painted in large letters in English or in the Vernacular of the district his name and the words, "Licensed to deal in arms, ammunition and military stores."

(2). He shall also affix in his place of business or shop a copy of section 28 in English or in the Vernacular of the district.

[Conditions 5 and 6 are the same as those of License Form XI.]

7. He shall not sell arms, ammunition or military stores elsewhere than at the place of business, or shop specified in column 3.

[Conditions Nos. 8 to 13 are the same as those of License Form XI.]

SCHEDULE VII—*contd.*

(FORM No. XIII)

[RULE 24 (2) (*a*)]

FEE—*Where the licensee holds a license in Form No. XI,* FREE OF ALL CHARGE. *In all other cases,* TWENTY RUPEES IN STAMPS.

License to manufacture, convert, sell, or keep and sell breech-loading rifles, rifle ammunition or military stores for rifles.

Serial number of license.	Name, description and residence of licensee.	Place of business, factory or shop.	Description of Arms.		Description of Ammunition or Military Stores.		Date on which the license expires.
			to be manufactured or converted.	to be sold or kept for sale.	to be manufactured.	to be sold or kept for sale.	
							In Burma— The 31st March 19 . *Elsewhere*— The 31st December 19 .

(Signature.)

Seal.

Secretary to the _____
Commisioner in Sind.

The _____ 19 .

[The Form for renewal of the License is the same as that of Form XI.]

SCHEDULE VII—*contd.*

FORM No. XIII—*contd.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. He shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in such form as the local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police officer of a rank not below that of Inspector, or, if the local Government so directs, of Sub-inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard,on which shall be painted in large letters in English or in the Vernacular of the district his name and the words "Licensed to deal in breech loading rifles, rifle ammunition and military stores for rifles."

(2). He shall also affix in his place of business, factory or shop a copy of section 28 either in English or in the Vernacular of the district.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in Form XVI, XVII, XVIII or XIX—

(*a*) the name, description and residence of the person who takes delivery of the article sold,

(*b*) the nature and quantity of the articles sold, and

(c) the date of sale,

and shall sign the endorsement.

6. He shall not sell breech-loading rifles, rifle ammunition or military stores for rifles, elsewhere than at the place of business, factory or shop specified in colnmn 3

7. He shall not keep Government arms, ammunition or military stores.

Explanation.—For the purposes of this condition,—

(*a*) "Government arm" means a firearm or other weapon which is the property of the Government; and

(*b*) "Government ammuntition" and "Government military stores" mean ammunition and military stores manufactured in any Government factory or prepared for and supplied to Government.

SCHEDULE VII—*contd.*

FORM No. XIII.—*concld.*

8. He shall not sell arms, ammunition or military stores to a native officer, non-commissioned officer and soldier of the Indian army, unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

9. (1) Where the license is granted in and for any local area in Burma or in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isa Khel Tahsil or the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided sell breech-loading rifles, rifle ammunition or military stores for rifles without the the sanction in writing of the Magistrate of district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to or, to the use of—

(*a*) any person who is exempted under section 27 of the Act from certain prohibitions and directions contained in sections 13 to 16, or

(*b*) any person whose name is included in any list compiled by the Magistrate of the district for this purpose and who declares that he purchases for his own use.

~~10.~~ 11. Save where the local Government directs the omission of this condition, the licensee shall forthwith give information at the nearest police station of the loss or theft of any arms, ammunition or military stores covered by the license.

SCHEDULE VII—*contd.*

FORM No. XIV.

[RULE 24 (2) (*b*).]

FEE—*Where the licensee already holds a license in Form No.* [illegible]
FREE OF ALL CHARGE.
In all other cases, TEN RUPEES IN STAMPS.

License to keep and sell breech-loading rifles, rifle ammunition or military stores for rifles.

Serial number of license.	Name, description and residence of license.	Place of business or shop.	Description of.		Date on which the license expires.
			Arms.	Ammunition or military stores.	
					In Burma— The 31st March, 19 *Elsewhere*— The 31st December 19

(Signature.)

The _____ 19 .

Secretary to the _____
Commissioner in Sind.

(The Form for renewal of the license is the same as that of Form XI).

SCHEDULE VII – *contd.*

FORM No XIV—*concluded.*

Conditions.

1. This license is granted subject to all the provision of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. He shall maintain registers of all arms, ammunition and military stores in stock and of all sales, in such form as the local Government may direct.

3. He shall exhibit his stock and his register on the demand of any Magistrate or any Police officer of a rank not below that of Inspector or, if the local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business or shop a signboard on which shall be painted in large letters in English and in the Vernacular of the district his name and the words " Licensed to deal in breech-loading rifles, rifle ammunition and military stores for rifles."

(2) He shall also affix in his place of business or shop a copy of section 28 in English or in the Vernacular of the district.

5. He shall at the time of purchase endorse upon the license of every purchaser holding a license in any of the Form Nos. XVI, XVII, XVIII or XIX—

(*a*) the name, description and residence of th person who takes delivery of the articles sold,

(*b*) the nature and amount of the article sold, and

(*c*) the date of sale,

and shall sign the endorsement.

6. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

(Conditions No. 7 to 10 are the same as those of Form XIII.)

———

SCHEDULE VII—*contd.*

FORM No. XV.

[RULE 26]

FREE OF ALL FEE

License for the possession of firearms, ammunition or military stores.

Name, description and residence of licensee and agents, if any.	Number and description of firearms.	AMMUNITION OR MILITARY STORES.		Place (with description where the articles are to be kept).	Period for which the license is valid.
		Description.	Quantity.		

(Signature.)

_____ *Commr. of Police* _____

The _____ *of* _____ 19 . Seal. *Magistrate of the* _____ *district.*

SCHEDULE VII—*contd.*

FORM NO. XV—*concluded*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. It covers only the fire-arms, ammunition and stores specified in columns 3 and 4. so long as they are kept in the place described in colnmn 5, but does not authorize him—

(*a*) to go armed, or

(*b*, to keep Government arms or ammunitions.

In Burma condition 2 (b) may be cancelled by the authority granting the license, if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

Explanation.—For the purposes of this condition—

(*a*) "Government arm" means a fire arm or other weapon which is the property of the Government; and

(*b*) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

SCHEDULE VII—*contd.*

FORM No. XVI.

[RULE 27.]

FEE—when granted under sub-rule (1) FREE OF ALL FEE.

In any other case,—
(*i*) in disarmed districts EIGHT ANNAS, and
(*ii*) elsewhere, FOUR ANNAS,
in stamps for each weapon.

License for the possession of arms and ammunition and for going armed for the purpose of sport / protection / display.

1	2	3		4					5	6
Serial number of license.	Name, description and residence of licensee and agent (if any).	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS.		Retainers (if any) covered by the license.					District or place within which the license is valid.	Date on which the license expires.
		Description.	Quantity.	Name of retainer.	Name of retainer's father.	Address of retainer.	ARMS OR AMMUNITION THAT RETAINER IS ENTITLED TO POSSESS.			
							Description.	Quantity.		

(Signature.)

Seal.

Commissioner of Police, _____
Magistrate of the _____ *district.*

The _____ 19 .

(The form for the renewal of the license is the same as that of Form XI.)

SCHEDULE VII—*contd.*

FORM No. XVI—*continued.*

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. It covers only the persons named, and the arms and ammunition described, therein and such retainers (if any) as may be entered in column 4.

3. Save where it is countersigned in the manner provided by rule 27, sub rule (2) or sub rule (3) it extends only to the district or place specified therein.

4. The licensee or any retainer acting under this license shall not go armed with any arms covered thereby otherwise than in good faith for the purpose of $\frac{\textit{sport}}{\textit{protection}}$ and, save where he is specially authorized in this behalf—
$\textit{display}$

(*in any presidency Town or Rangoon*) by the Commissioner of Police,
(*in any other place*) by the Magistrate of the District,

he shall not take any such arms into a railway carriage or to a fair, religious procession or other public assemblage.

5. The licensee, at the time of purchasing any new arms or ammunition, shall cause the following particulars to be endorsed upon his license under the vendor's signature, namely :—

(*a*) the name, description and residence of the person who takes delivery of the articles purchased ;

(*b*) the nature and quantity of the articles purchased ; and

(*c*) the date of purchase.

6. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government.

7. Save where the local Government directs the omission of this condition, he shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the license.

SCHEDULE VII—*contd.*

FORM No. XVI—*concld.*

8. He shall not possess Government arms and ammunition.
Explanation.—For the purposes of this condition,

(*a*) " Government arm " means a firearm or other weapon which is the property of the Government ; and

(*b*) " Government ammunition " means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

NOTE.—In Burma, condition 8 may be cancelled by the authority granting the license if empowered to do so by the local Government, and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

9. Where the license is granted for the purpose of sport, the licensee or any retainer acting under the license shall observe such close season as may be prescribed by the local Government in respect of the game-birds and animal's hereinafter set forth below.

SCHEDULE VII—*contd.*

FORM No. XVII.

[RULE 28.]

FREE OF ALL FEE.

License for the possession of arms and ammunition and for going armed, for the destruction of wild animals which do injury to human beings or cattle.

Name, description and residence of licensee.	Arms and Ammunition		Place or tract within which the license is valid.	Specification of the wild beasts which may be destroyed under this license.	Period for which the license is valid.	Title and residence of Magistrate to whom the license and weapon must be shown between the 15th November and the 31st December.
	Description.	Quantity.				

(Signature).

Seal. *Magistrate of the* ———— *District.*

The ———— *of* ————19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. Once every year, between the 15th November and the 31st December, the licensee shall produce this license and every weapon covered thereby before the Magistrate referred to in column 6.

SCHEDULE VII—*contd.*

FORM No. XVII—*concluded.*

3. He shall not go armed with any arms covered by this license otherwise than in good faith for the destruction of wild animals which do injury to human beings or cattle; nor shall he take any such arms into a railway carriage, or to a fair, religious, procession or other public assemblage or to any considerable distance beyond the place or tract entered in column 4.

4. He shall forthwith give information at the nearest police station of the loss or theft of any gun covered by this license.

5. He shall not keep Government arms or ammunition.

Explanation.—For the purposes of this condition—

(*a*) "Government arm" means a firearm or other weapon which is the property of the Government; and

(*b*) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

NOTE.—In Burma, condition 5 may be cancelled by the authority granting the license, if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

6. He shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government.

7. Without prejudice to the voidance of this license for breach of any of the foregoing conditions, it shall be void if—

(*a*) the licensee dies, or

(*b*) any weapon covered thereby—

(i) is sold, or

(ii) is attached in execution of a decree.

SCHEDULE VII—*contd.*

FORM No. XVIII.

[RULE 29.]

FREE OF ALL FEE

License for the possession of arms and ammunition and for going armed, for the destruction of wild animals, doing injury to crops or cattle.

Name, description and residence of licensee.	Name and description of any member of the licensee's family or servant employed to watch crops or cattle, residing with him, by whom the arms covered by this license may be also used.	ARMS AND AMMUNITION.		Place or tract within which the license is valid.	Period for which the license is valid.
		Description.	Quantity.		
					From_____ To_____

The *Magistrate of the*_____

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules.

2. The licensee shall not go armed with any arms covered by this license otherwise than in good faith, for the destruction or driving away of wild animals which do injury to the crops or cattle situated in the area specified in the license.

3. The licensee shall not use any arms covered by this license otherwise than in the place or tract in which the license is valid.

4. He shall not lend any arms or ammunition covered by this license to any person, other than a *bona fide* member of his family, or servant who may be employed by him to protect the crops or cattle situated in the area specified in the license and who is mentioned in column 2 of the license.

SCHEDULE VII—*contd.*

FORM No. XVIII—*concluded.*

5. He shall forthwith give information at the nearest police station of the loss or theft of any gun or ammunition covered by thi- license.

6. The licensee shall not keep Government arms or ammunition.

Explanation.—For the purpose of this condition—

(*a*) "Government arm" means a firearm or other weapon which is the property of Government ; and

(*b*) "Government ammunition" means ammunition manfactured in any Government factory, or prepared for and supplied to Government.

Note.—In Burma, condition 6 may be cancelled by the authority granting the license if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

7. This license shall be void if the licensee commits a breach of any of the above conditions or if the licensee dies, or if any weapon covered thereby—

(*i*) is sold,

(*ii*) is attached in execution of a decree.

SCHEDULE VII—*contd.*

FORM No. XIX.

[RULE 30.]

FEES—

(*a*) when granted under rule 30 (1) (*a*) (*b*), FOUR ANNAS IN STAMPS, FOR EACH WEAPON.

(*b*) when granted under rule 30 (1) (*c*) FREE OF ALL FEE.

License for going armed on a journey in or through any province

1	2		3					4	5	6
Name description and residence of licensee and agent (if any)	ARMS OR AMMUNITION THAT LICENSE IS ENTITLED TO CARRY.		RETAINERS (IF ANY) COVERED BY THE LICENSE.					Place of departure, route and place of destination.	Period which the journey is likely to occupy.	Period for which the licence is valid.
	Description.	Quantity.	Name of retainer.	Name of retainer's father	Address of retainer.	Arms or ammunition that retainer is entitled to carry.				
						Description.	Quantity.			
										From the_____ to the_____ _____19 .

(Signature.)

Seal.

*Commissioner of Police,*_____
*Magistrate of the*_____ *district.*
*Political Agent for the*____ *State.*

*The*_____19 .

Conditions.

1. This license is granted subject to all the provisions of the Indian Arms Act, 1878 (XI of 1878), and the Indian Arms Rules, 1909.

2. It covers only the persons named, and the arms and ammunition described therein, and such retainers (if any) as may be entered in column 3.

SCHEDULE VII—*contd.*

FORM No. XIX—*concld.*

3. The licensee or any retainer acting under this license shall not, unless specially empowered in this behalf by the authority granting the license, go armed in a railway carriage or to a fair, religious procession or other public assemblage.

4. The licensee shall, at the time of purchasing any new arms or ammunition, cause the following particulars to be endorsed upon his license under the vendor's signature, namely : —

(*a*) the name, description and residence of the person who takes delivery of the articles purchased ;

(*b*) the nature and quantity of the articles purchased ; and

(*c*) the date of purchase.

5. He shall not go armed with Government arms or ammunition.

Explanation.—For the purposes of this condition,

(*a*) " Government arm " means a firearm or other weapon which is the property of the Government ; and

(*b*) " Government ammunition " means ammunition manufactured in any Government factory or prepared for and supplied to the Government.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

NOTIFICATION.

No. 3103.

Dated the 16*th August* 1909.

In exercise of the powers conferred by section 35 of the Court-fees Act, 1870 (VII of 1870), and in supersession of all previous Notifications on the same subject, the Governor General in Council is pleased—

(*a*) to remit all fees payable under schedule II * upon applications relating to licenses or duplicates granted or renewed under the Indian Arms Rules, 1909, other than licenses or duplicates of the nature hereinafter referred to in sub-head (b) ; and

(*b*) to reduce to one anna all fees, exceeding one anna, payable under the said schedule upon applications relating to licenses or duplicates granted or renewed under the said Rules in respect of which—

(*i*) no fee is payable under the said Rules, or

(*ii*) the fee payable under the said Rules, has been collected in full.

*(Home Dept. Notn. No. 4594 dated the 23rd December 1909).

Commercial Printing Work, Lahore.

APPENDICES.

——:-o-:——

		Page.
I.—Local Rules and Orders—Madras	...	1
Bombay	...	3
Bengal	...	3
United Provinces	...	6
Punjab	...	30
II.—Rules for the acquisition, possession and sale of rifles	... ...	37
III.—Rules and Orders relating to the refunds and remissions of duty on arms, ammunition and military stores	... ...	40
IV—Rules and orders regarding the grant of shooting passes	... ...	48

———

THE INDIAN ARMS ACT MANUAL.

Appendix I.—LOCAL RULES AND ORDERS.—MADRAS.

Registers to be maintained by persons holding licenses in forms VI and VII (XI and XII) are prescribed by G O No. 1453 Judicial of the 30th September 1882

Column 9 of schedule C. of the above order has been amended by G. O. No. 1434 Judicial of the 14th July 1893.

Rules for the grant of new licenses and the renewal of new licenses form VIII (XVI) are prescribed by G.O. No. 1280 Judicial of the 25th August 1902, and amended by G. O. No. 1307, Dated the 8 September 1903

* * * Vide notes to section 13 of the Act.
* * * Vide notes to section 15 of the Act
* * * Vide note to section 30 of the Act.

All arms, ammunition and military stores within the Calicut, Ernad, Walavanad and Ponnani talukas in the Malabar District, shall be deposited with the Officer in charge of the nearest Police Station and all licenses issued for the possession or carrying of arms within the above taluks in the Malabar District are cancelled.

G. O. No. 260 Judicial, dated the 30th January 1885.
" 355 " " 6th February 1885.

The exemption granted under section 27 of the Arms Act to members of local boards by G. O's No. 783 Judicial dated the 6th April 1880, and No. 164 Judicial dated the 24th January 1894, are withdrawn but the exemption is to continue personal to existing members of the local boards so long as they remain such.

G. O. No. 724 Judicial dated the 24th April 1895.

* * * Vide note (3) to rule 23.

Guns, imported from and exported to Pondicherry, without a license, are liable to be detained by the Custom Officers They should in all such cases submit a detailed report to the Circle Inspector. All cases of smuggling of arms, ammunition and military stores should also be reported for the orders of the Circle Inspector.

(2). In order that a fire-arm covered by a license may be identified with the one described in the license, its description should be as full as possible. "One double barrelled gun," for instance, without the maker's name and number or other identifying marks, is insufficient to describe the weapon in such a manner as to preclude the possibility of all attempts at fraud by the substitution of one gun for another, for any number of guns can be imported from the French territory with such a license. The weapons of respectable sportsmen should not, however, be detained merely on this account Should the description of the weapon given in the license be defective, full particulars should be reported to the District Magistrate, through the Officer in charge of Land Customs, with a view to the defect being remedied.

2. A license is required for transport even within the confines of the same district.

G. O. No. 3232, dated the 6th December 1883.
G. O. No. 2551, dated the 7th October 1884.

No license, however, is necessary for the removal of ammunition from one magazine or warehouse to another in the same locality

G. O. No. 2157, dated the 27th November 1883.

* * * Vide notes to section 6 of the Act.

3. Conveyances and baggage belonging to passengers are liable to be stopped and searched at Sayer stations for arms, ammunition and military stores. In carrying out this duty the notification of exemption and the rules under the Arms Act, so far as they relate to the transit of arms, ammunition and military stores, should be followed by the officers of the Land Customs Stations.

* * * * *

4. The following are a few of the special exemptions under the Arms Act :—

(*a*) Guns brought to British India by the European Residents of the French settlements of Pondicherry, Karikal or Mahé are exempt from import duty, provided that the guns are covered by a pass issued under the authority of the Government of the Settlement from which they are brought, and countersigned by a British Magistracy certifying that the holders are entitled to carry the guns for sporting purposes.

G. I. Notification in Boards Proceedings No. 267 dated the 21st June 1893.

Note—Ammunition belonging to French sportsmen which, in the opinion of the Sayer staff, is being taken in un-reasonable quantities should be brought to the notice of the Collector.

(*b*). The provision of Chapter IV of the Indian Arms Act, XI of 1878, cannot, as a matter of courtsey, be enforced in the case of the French Military and Police Officers, when passing the Tindivanam, Villupuram and Cuddalore taluks, nor can customs duty be demanded at the Sayer stations in respect of arms which such Officers are entitled to carry in French Territory.

G. O. No. 175, Judicial dated the 25th January 1895

(*c*). French native subject are, for the purposes of sport or protection, allowed to carry with them across the frontier guns on payment of import duty, when holding gun licenses, granted by the District Magistrate of the District concerned. Such duty is liable to be refunded under G. O. No. 2553, Judicial, dated 16th December 1891, on a report from the French Government that the gun on which import duty was paid has been re-exported.

THE INDIAN ARMS ACT MANUAL.

Appendix I,—LOCAL RULES AND ORDERS.—BOMBAY.

BOMBAY.

* * * Vide notes to section 13 of the Act.
* * * Vide notes to section 15 of the Act.

3. The following Officers are empowered to grant licenses under the section of the Act specified against their names :—

All District Magistrates in their respective Districts under :
Section 7 to manufacture and deal in arms.
Section 28 to carry arms.
Section 32 to have in possession or to carry arms.

4. The same powers are exercised by the Agent for His Excellency the Governor in the Panch Mahals
The Political Superintendent, Thar and Parkar Districts,
The Superintendent of the Upper Sind Frontier,
The Commissioner of Police in the Town and Island of Bombay.

5. All the District Superintendents and Assistant Superintendents of the Police are authorized to exercise in their respective distiricts the powers specified in section 15 and 31 of the Act.

* * * Vide note to rule 27 [countersignature of licenses].
* * * Vide note to rule 32 [possession of blasting powder].

BENGAL.

Vide Notifications by the Government of Bengal, dated th 24th March 1879, 15th August 1879, 24th July 1880 and 6th June 1881.

It is hereby notified for general information that the provisions of the Indian Arms Act (XI) of 1878 are in force throughout the Province of Bengal. The attention of all officers of Government, and of all manufacturers, dealers and owners of arms and ammunition, is hereby drawn to the provisions of the Act, to the notification and rules made by the Governor-General in Council, published in the Calcutta Gazette of the 12th March, 1879 [The Indian Arms Rules, 1909], and to the following supplementary rules and instructions issued by the Lieutenant-Governor :—

Rules and instructions issued by the Lieutenant-Governor of Bengal.

1. The form of account prescribed by the Local Government, in accordance with section 17 (c) of Act XI of 1878 and rule 11 of the rules of the Governor General in Council is a simple debtor and creditor account, showing the number and quantity of each article in stock at the commencement of each month, the addition made to the stock during the month, and the sales effected in the month with the names and addresses of the purchasers.

2 By rule 11 [present rule 24 (4)] of the rules of the Governor-General in Council, Magistrates and police officers not below the rank of [Sub]Inspectors are empowered to enter and inspect any premises within their several jurisdictions in which

arms or ammunition or sulphur are manufactured or kept, and every license-holder shall exhibit his stock and accounts to the inspecting officer. These inspections shall be made once a month unless the license-holder shall voluntarily submit to the local (*i e.* district or sub-divisional) Magistrate a monthly return in the form of account prescribed above. When the prescribed monthly return is regularly submitted, the inspections shall not necessarily be more frequent than once a quarter or once a year in the case of shops in which only country gun powder is manufactured and sold. The inspection shall be made without previous intimation being given to the license-holder, and a report of the inspection shall be made by the inspecting officer to the district or sub-divisional Magistrate.

The inspections prescribed in this rule shall ordinarily be made by police officers, but district and sub-divisional Magistrates should themselves frequently inspect the premises of licensed manufacturers and dealers in arms and ammunition.

In Calcutta, the premises of each licensed manufacturers or dealers shall be inspected once a month and the reports of the inspecting officers shall be submitted to the Deputy Commissioner of Police

3. Monthly returns of the stock and sales of each license-holders shall be submitted by sub-divisional Magistrates to the District Magistrate in the form prescribed above. From these monthly returns quarterly statements shall be submitted by District Magistrates to Commissioners of Divisions and the Inspector-General of Police The Inspector-General of Police will submit to Government a complete quarterly return for the entire province, excluding the town of Calcutta. A similar quarterly return for Calcutta shall be submitted ~~to~~ by the Commissioner of Police.

4. All arms, ammunition or military stores deposited at a police station, in accordance with the provisions of sections 14 and 16 of the Act shall be at once sent to the Magistrate of the district in which the Police station is situated, and in Calcutta to the Commissioner of Police. The Magistrate or Commissioner of Police shall then store the arms etc., in a place of safety.

5. * * * Vide notes to section ~~5~~ 25 of the Act.

5. (*a*) * * * Vide notes to section 30 of the Act.

6. All arms, ammunition, military stores, vessels, carts, baggage animals, boxes, packages or bales or other articles forfeited or confiscated in accordance with the provisions of the Act shall be disposed of by the District Magistrate at his discretion in one of the following ways :—

(The rules prescribed in paragraph 6 have been omitted, as the new rules regarding the disposal of confiscated arms ammunition and military stores have been published with the Bengal Government notification No. 1227 P. D. dated the 21st June 1909, which is reproduced below)

The Lieutenant Governor is pleased to make the following rules to regulate the disposal of arms, ammunition and military stores confiscated or forfeited under any enactment for the time being in force.

2. Notification No, 302 7, P. D., dated the 30th July 1907, is hereby cancelled.

THE INDIAN ARMS ACT MANUAL.

Appendix I.—LOCAL RULES AND ORDERS—BENGAL.

Rules for the disposal of arms, ammunition and military stores confiscated or forfeited under any enactment.

Arms, ammunition and military stores, as defined in section 4 of the Indian Arms Act 1878 (XI of 1878), which are confiscated or forfeited under any provision of that Act or any other enactment for the time being in force, may, if they can be utilized by the Police or by any Department under the Government, be retained and brought into use with the sanction of the Local Government.

2 If any such arms, ammunition or stores are not so retained, they shall be sent forthwith, or as soon as the period of appeal (if any) against the order of confiscation or forfeiture has expired, to the Ordnance Officer, Fort William, Calcutta, to be broken up or otherwise destroyed.

Provided that insignificant quantities of ammunition or military stores may be destroyed locally.

Provided also that bayonets, swords, daggers, spears, spear-heads and bows and arrows shall not be sent to the Ordnance officer, but shall, if possible, be sold to licensed-dealers or other persons entitled to possess such articles, or, if they cannot be so sold, shall be destroyed locally.

7. When any person is convicted of an offence punishable under the Act, the Court may grant rewards to those officers and persons who actually arrested the offender and seized the property in respect of which the offence was committed, and also to those who gave the information that led to the conviction of the offender. The rewards granted to the person or persons who arrested the offender and seized the property shall not ordinarily exceed one-half of the sale proceeds of the confiscated articles, or one-half their value when they are forwarded to the arsenal instead of being sold, together with half the fine realized from the offender. The rewards granted to the informer or informers shall not ordinarily exceed the other moiety of the sale proceeds or value of the articles confiscated, together with the other moiety of the fine realized. In special cases, when the seizure is important, or when the value of the articles confiscated and the amount of the fine realized are small the Commissioner of the Division, or in Calcutta the Commissioner of Police, may grant a sum not exceeding Rs. 200 as a reward or rewards to those persons through whose information or by whom the offender was arrested or convicted or the articles seized The articles confiscated by the Court should be disposed of by the District Magistrate or Commissioner of Police, and the rewards paid as soon as possible after the period within which an appeal can be preferred expires or the order of the Court of first instance is confirmed whichever may first happen Fines imposed by the Courts for offences punishable under the Act shall be realized according to the ordinary procedure of the Criminal Courts.

8. By section 23 of the Act every person employed upon any railway or by any public carrier is bound, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, to give information to the nearest police-officer regarding any box, package or bale in transit, which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed. Such persons, although legally bound to furnish the information required, are eligible for the rewards mentioned in the preceding rule.

Appendix I—LOCAL RULES AND ORDERS.—BENGAL.

9. All officers empowered to grant licenses under the Act and rules will be supplied with registers, and those registers must be kept written up to date. The registers will correspond with Forms II to IV and VI to XI appended to the rules (for new forms see Schedule VII) issued by the Governor-General in Council The license forms will be attached to counterfoils in the registers, and when granted the forms will be removed and the counterfoils alone will remain in the registers. Each page of registers Nos. II and IV will consist of three forms, one to be given to the license-holder, another to be forwarded to the place of consignment or to the place from which the articles covered by the license are to be exported, and the third, for record in the register. Similarly each page of the register of licenses to go armed (IX) on a journey will consist of three forms, one for the license holder another to be forwarded to the Magistrate of the district where the journey ends and the third for record in the register On the back of the license to go armed on a journey should be an endorsement that the license is to be given up to the Magistrate of the district where the journey ends. A general register shall also be kept for facility of reference, showing the name of each licensed holder, his father's name, his residence, the form of the license, the date of issue and the date on which the license expires.

10 Before any license is granted, the Magistrate of the district or Commissioner of Police shall cause such enquiries as he may consider necessary to be made as to the character of the applicant and his fitness to receive a license. A fresh license shall not be granted to any person who has previously received a license unless he shall either return the old license or shall satisfy the Magistrate or Commissioner of Police that it has been destroyed.

11 * * * Vide note to section 7 of the Act [printed on page 14]

12. * * * Vide note to rule 8 [Importation of rifles]

13. * * * Vide note to sec. 6 of the Act.

The following extracts from Act XI of 1878 and the rules framed thereunder declaring the duties under the Act of railway officers, public carriers, and their servants, and of the public generally, the penalties to which they are liable, and the rewards they can earn, are hereby published for general information :—

Section 12 of the Act [not printed]
Section 28 of the Act [not printed]
Rule 7 of the ~~will~~ rules vide above.

UNITED PROVINCES.

---

* * * Vide notes to Schedule I * *

The object of the Government of India in granting personal exemptions is to confer a mark of special distinction on certain classes only of the native population The liability to take out a license casts no slur on a native gentleman's character any more than the non-bestowal on him of the Star of India or any other order or title A license costs an insignificant sum, and application for its grant involves no material trouble. It follows that the privilege of exemption should be proposed with care and with a certain sparingness; otherwise

it ceases to constitute any peculiar distinction. As a rule no names should be proposed unless their owners are entitled to attend the Lieutenant-Governor's *darbárs*. Exemption will not be granted necessarily to all such *darbáris*, and the selection from this list is left to Commissioners in consultation with District Officers. If a Commissioner would propose the inclusion of any name which is not entered on the *darbár* list, special reasons for this step must be given. Commissioners should, if practicable, secure a fair representation of the gentry of each district in their divisional list, and there are unquestionably some native gentlemen in every district on whom this privilege may fitly be conferred, although in certain districts the number fit for selection will be less than in others.

In Oudh the district lists will inevitably be scantier than those obtainable from districts of the Province of Agra, inasmuch as most of the leading *taluqdárs* in that province are Honorary Magistrates, and are therefore *ex-officio* exempted.

In the case of future exemptions under clause (10) paragraph 1 of the Rules, Commissioners should report the number of weapons which the exempted person should be allowed to possess.

* * * Vide notes to schedule I.

In order to prevent needless annoyance being caused to the exempted persons, every District Officer should maintain a correct list of all such persons in his district, whether exempted by name by the Local Government under clause (10) or under any other clause [excepting of course clauses (3) and (5), in which cases it will be sufficient to enter the name of the exempted class], and supply a copy of this list to the police. A copy of this list should be hung up in every police station, and it should be the duty of all the police to make themsleves acquainted with its contents.

In the case of stations bordering on another district, lists should be furnished of the exempted persons residing within the limits of the adjoining police station of that district, and the police should, as far as possible, make themselves acquainted with these exempted persons in the adjoining district.

Persons so exempted should not be stopped and questioned by the police, unless there is some reasonable doubt as to their identity; and the object of this order is to ensure that the police shall know who are exempted and refrain from interfering with them unnecessarily. At the same time they must be careful that no persons go about armed except those who are regularly entitled to do so.

Persons holding licenses to carry arms should be dealt with in a similar spirit. A list of licenses is furnished to every police station; and the police should make themselves personally acquainted with these persons, and so be in a position to refrain from calling on them to produce their licenses except in a case of *bona fide* doubt.

By these instructions it is not desired in any way to relax the supervision of the police. What is aimed at is the maintenance of an efficient supervision with a minimum of friction and of annoyance to the people. District Superintendents of Police should, under instructions from their Magistrates, from time to time, test the knowledge of the station police of the exempted persons, and take measures

to ensure that this knowledge is practically sufficient for the purpose of carrying out these directions.

* * * Vide notes to schedule I,

Under paragraph II clause (*f*) of the Arms Act Rules (vide Schedule II) the Local Government has exempted fishing spears throughout the whole of the United Provinces, and spears of all kinds in the undermentioned districts and parts of districts :—

District.	*Part affected.*
Bijnor	whole district.
Moradabad	ditto.
Shahjahanpur	ditto.
Pilibhit	ditto.
Mirzapur	south of Sone,
Kheri	whole district.
Bahraich	ditto.
Gonda	ditto.
Etawah	ditto.
Etah	ditto.
Ballia	ditto,
Jaunpur	ditto.
Ghazipur	ditto.
Gorakhpur	ditto.
Basti	ditto.

With effect from the 1st January 1908, the exemption of spears of all kinds in the districts of Etawah and Etah shall cease. Provided that nothing in this declaration shall be deemed to affect the terms of the notification No. 672.—VII 87-17, dated 24th June 1884, in so far as they relate to fishing spears.

* * * Vide notes to rule 23. [Transport].
* * * Vide note to Schedule II [Air-guns].

The importation of rifles with "Sub-Target rifle machines" is strictly prohibited.

* * * Vide note (1) to rule 19. [Export from British Arsenals.]

Persons desirous of exporting arms, ammunition or military stores should, in the first instance, apply to the Local Administration or Political Officer concerned for an assurance in writing that there is no objection to the export of the consignment named in the application.

A copy of this assurance should accompany the application to the Government of India for the issue of the license. Dealers in arms, &c, should be informed accordingly.

They should then apply, either direct or through the Local Administration or Political Officer, to the Secretary to the Government of India in the Foreign

Department, for the issue of a license, enclosing the written assurance mentioned in the foregoing parapraph. Each application should be written on a "impressed stamp" of the value of Rs. 5.

The application should contain the following particulars :—

(1) The name and description of the license holder and agent, if any.
(2) The number of packages in which the consignment will be conveyed.
(3) The description and number of the arms to be exported.
(4) The description and weight, or number, of the ammunition or military stores to be exported.
(5) The place of despatch and the *exact route* by which the consignment will travel.
(6) The purpose for which the consignment is required.
(7) Its destination.
(8) The name and residence of the consignee in full.
(9) The probable time that will be occupied by the journey.

If these conditions are observed in their entirety, the Government of India will be enabled to issue licenses without the considerable delay that their neglect occasions.

* * * Vide note to rule 19.
* * * Vide Schedule VI and rules 24 and 18 (1).

Copies of licenses covering consignments to States in Central India or Rajputana should also be sent to the Agents to the Governor-General in Central India and Rajputana respectively.

Note.—In the case of Chitral, when the ammunition is to be exported *via* Peshawar, the Magistrate should send a copy of the license to the Political Officer for Dir and Swat for communication, when necessary, to the Political Officer in Chitral. If the consignment is forwarded *via* Kashmir the copy of the license should be sent to the Resident. In the case of Waziristan, the Magistrate should refer to the Political Officer in the Tochi Valley or the Political Officer at Wano, according as the consignment is for the Tochi or for elsewhere in Waziristan.

* * * Vide Schedule VI.

MANUFACTURE AND SALE.

* * * Vide heading of the present License Form XIV.
* * * Vide note to rule 24.
* * * Vide note No. (7) to section 5 of the Act.

GOING ARMED.

Whenever a license in Form IX (XXI) is granted, the District Magistrate should see that the weapon or weapons are accurately described in English and Vernacular. As it has been represented that, under cover of such licenses, rifles have not infrequently been smuggled accross the Indus frontier by Pathans, licenses in Form IX for rifles should be granted very sparingly and with much caution.

The practice of carrying arms on a journey should also be discouraged. Under present conditions in India arms are rarely required by travellers for

purposes of protection and the object of obtaining a license in Form IX is usually that of display. As a general rule it is desirable to restrict the grant of licenses in Form IX to cases of persons whose position and social standing is such as to require or justify display of this description.

When native gentlemen of the better class are going on a journey by train to pay ceremonial visits to His Honour, or on occasions when it is reasonable that their followers should be armed for purposes of display or protection, District Officers may grant them a special permission for this purpose This should be in writing, and should specify the places where the holder will stop, the number of armed followers he may take with him, and the time for which the permission is to hold good.

No precise instructions are required as to the class of persons to whom this privilege may be extended, but in no case should it be accorded to any one except those entitled to attend the Lieutenant-Governor's darbars.

* * * Vide note to rule 30. [Going armed on a journey].

Under paragraph 686 of Volume II, of the Army Regulations, India, Commanding Officers are empowered to grant passes for arms to soldiers proceeding on furlough If such soldiers however are not serving with the columns but are employed under a Civil Department they must obtain licenses under the Arms Act, and such a license can be granted by the District Magistrate only.

* * * Vide notes to rule 27. [Possession of ammunition for rifles of prohibited bores and of revolvers].

Although in special circumstances exception may be made, as a rule licenses for breech-loading fire-arms should only be granted in future to persons of distinction and well established position and substance.

Taluqdárs who hold property in different districts should be granted licenses in one district only, *viz.* that in which each has his principal residence When countersigned by the Commissioner the license will hold good for the whole province.

In the case of retainers [unless especially exempted under paragraph 1, clause (9) of the Government of India Notification No. 518, dated 6th March 1879] [Vide Schedule I] a separate license should be taken out on a separate fee in the case of each servant of a native gentleman who carries arms when working for his master, but who is not in attandance on him.

The attention of Magistrates is drawn to the annexed circular issued by the Inspector-General of Police, and they are directed to give their close attention to the matter. The issue of licenses under the Arms Act in localities where the number of Dakoitis or crimes of violence has attracted notice, should be reviewed and restricted.

Circular.

It having been brought to the notice of the Inspector-General that licenses to carry arms in Form VIII are in many cases granted to men of bad character

who not only are not entitled to them, but actually use them for purposes of crime or assisting criminals, District Superintendents of Police are instructed to issue orders to all officers in charge of police stations to scrutinize very carefully all lists of arms' licenses and to bring any such cases to their notice.

District Superintendents of Police will, after careful personal inquiry in each case, and after satisfying themselves that the information on which the license-holder is classed as a bad character is correct, bring these cases to the notice of the District Magistrate and apply for the withdrawal of the license.

The number of licenses really required by agriculturists for the purpose of destroying wild animals which cause injury to human beings, cattle or crops should be carefully determined and granted in Form XI: licenses in Form VIII may only be issued to respectable men who are free from all suspicion of connection with criminals, and who may be confidently relied on not to use, or to allow the use of, the arms for improper purposes, and such licenses are strictly held to be for one or more of the following purposes, *viz.* for *(a)* sport; *(b)* for protection (in circumstances specially stated) of self, family or property from danger other than that from wild animals; or *(c)* for display. Licenses to professional hunters should be granted in Form VIII under the head of sport. The circumstances of each district differ, and no hard-and-fast rules as to the granting of licenses in Form XI can be laid down. The matter must be left to the discretion of the District Magistrate, but wherever it appears that these firearms are not being used at all or not used for the purpose for which they were granted, they should be withdrawn

The sanction of the Commissioner must be previously obtained by the Magistrate to any restrictions which he may desire to impose in the grant of licenses to *shikaris*.

In order to cover the cases of Government arms which in some provinces it may be the custom to lend to private persons for the destruction of wild animals or for any other reason, a note giving the distinguishing marks and description of the arms lent should be made in the license.

Note.—Paragraphs 692 and 693, Army Regulations, India, Volume II, provide that where passes granted to reservists are withdrawn or cancelled the Magistrate or Political Officer concerned is to be so informed.

On receiving information of the cancelment or withdrawal of passes, Magistrates should see that the arms held by the reservists are surrendered or licenses taken out for them.

Officers Commanding regimental centres have been instructed to furnish Magistrates of districts with the names of such reservists as have already been and may in future be, granted passes under paragraph 323 Army Regulations, India, Volume II (*Vide* Appendix B), to carry and bear private arms, together with a description of the arms covered by the passes. A list of reservists who have been granted such passes should be maintained in Magistrates' offices as the information may on occasions be useful.

THE INDIAN ARMS ACT MANUAL.

Appendix I—LOCAL RULES AND ORDERS—UNITED PROVINCES.

General

In these Provinces the applications for licenses or for the renewal thereof and not the licenses themselves, must be written on impressed stamped paper; and when the application is refused and refund of the stamp is given, a deduction of one anna must be made on account of the value of the paper.

The following rules have been issued by the Local Government:—*Vide* note to Section 76 of the Act.

I.—The authority to detain arms and ammunition contemplated in clause 2 of section 6 of the Indian Arms Act may be exercised by any Magistrate, Justice of the Peace, District or Assistant District Superintendent of Police, and any police officer being not lower in rank than an officer in charge of a reporting police station.

I (*a*).—The Conservator of Forests, School Circle, United Provinces, and all Deputy Conservators, Assistant Conservators and Sub-Assistant Conservators (including probationers) have power to disarm any person going armed without a license or in contravention of its provisions. Patwaris in Jaunsar-Bawar have similar powers.

II.—Magistrates in granting licenses under rule 11 of the rules framed by the Government of India to manufacture, convert or sell or keep arms, ammunition and military stores, or to keep and sell the same, shall deliver to each licensee two books in the Forms A and C or B and D (as the case may be) hereto appended; the one to be kept up as showing his stock-in-trade, and the other for the purpose of showing the sales of each day. The pages of these books should be numbered from beginning to end, and the first and last page of each should be signed by the Magistrate, or some European subordinate, and sealed with his official seal.

The licensee will be required to pay the cost of these books. The Magistrate, in delivering these books to the licensee, will explain to him the necessity for keeping them up regularly, and the penalties attaching to failure to do so.

In order to ensure that all arms and ammunition received by dealers are brought to account in the store books and subsequently in the day books of licensed vendors, arrangements should be made for the timely examination of consignments on arrival by an Inspector of Police, who should see that the necessary entry is made in the books of the firm. By the terms of the license the articles must be available for exhibition within six days of the arrival of the consignment.

Except in the case of arms of European manufacture which are already numbered and marked, every licensed vendor of arms shall, previous to sale, stamp every weapon in a permanent manner with a number and mark, and shall, on sale, enter the number and mark of the weapon sold, whether of European or native manufacture, in column 5 of his day book (Form C or D), forwarding orthwith a copy of the entry to the Magistrate of the district in which the pur-

chaser resides. In addition to the number and mark a full description of the weapon sold shall also be entered in column 5.

Note.—It is not intended to tie ignorant people down absolutely to these forms. If the accounts of stock are kept accurately in an intelligible manner, Magistrates may dispense with a servile adherence to the form in cases where they may deem it advisable to do so; but in the absence of valid reasons, and especially in the case of those who are not mere makers of fireworks, but really dealers in arms and ammunition, the form prescribed should be adhered to, and neglect to comply with the orders on the subject severely noticed.

Should any person who makes and sells fireworks combine with his trade the manufacture and sale of gunpowder or any of the articles enumerated in section 5 of the Arms Act, he will be required to take out license under the Arms Act, according to Form VI, or Form VII as the case may be or in Form A or B under the Explosives Act endorsed to have effect under the Arms Act.

The orders conveyed in Rule II do not apply to firework-vendors. The police should watch that the conditions of the license are not transgressed, and to secure this end the police may inspect the premises of the licencees, and, if necessary, examine their books of account; but no special form of account is needed.

The shop, premises and stock of every licensed vendor shall be inspected once in every half year by a police officer not below the rank of Inspector. A similar inspection shall be made annually by the Magistrate of the district or one of his subordinates in the month of March, and by the District Superintendent of Police or Assistant District Superintendent of Police in the month of October, of all shops situated at the headquarters of districts. In the case of outlying shops, an annual inspection shall be made by a Magistrate and by the District Superintendent of Police or Assistant District Superintendent of Police at any time during the year. It should be arranged, however, if possible, that there should be an interval of a couple of months at least between the visits of the inspecting officers The practice of sending for and examining the books kept up by the licensed vendors cannot be regarded as an inspection, and is prohibited.

Every officer making such inspection shall initial the stock and sale books of the licensee and at once report to the Magistrate of the district any irregularity or breach of rules which may have come to his notice.

In the case of the larger firms in towns inspection should ordinarily be made oftener than twice a year, and police officers should specially examine the names of customers as entered in the registers and ascertain that they are really persons entitled to possess arms and ammunition. Inspecting officers should be careful to see that copies of entries in the day book have been sent to the District Magistrate concerned, and district magistrates receiving such copies should ascertain that a person claiming exemption from the provisions of the Arms Act was really exempt.

Appendix I.—LOCAL RULES AND ORDERS—UNITED PROVINCES.

III.—A Magistrate or police officer receiving notice of sale of arms or ammunition under the second clause of section 5 of the Act should at once ascertain the correctness or otherwise of the purchaser's name and address as given by the seller. The result of such inquiry will be reported by the Police Officer to the Magistrate through the Superintendent of Police. If the purchaser lives beyond the jurisdiction of the Police Officer, he shall send a report to the Superintendent of Police, who will order the inquiry to be completed and reported by the Police Officer having jurisdiction at the place where the purchaser lives. The responsibility for taking out a license rests with the purchaser.

IV * * * Vide note to section 25 of the Act.
V * * * Vide note to section 30 of the Act.

VI.—When any arms, ammunition or military stores have been deposited at a police station under section 16 of the Act, the officer in charge of the police station shall affix to each weapon or article a ticket showing the name of the depositor, the date of deposit, and a description of the weapon or article deposited. He shall also hand to the depositor a duplicate of this ticket signed by himself, as a receipt, and inform him that the Government will be responsible for the safe custody only of the articles, and not for their preservation from rust and decay.

After the expiry of fourteen days, if the owner has not obtained a license authorizing him to possess them, the arms, ammunition and military stores shall be forwarded to the headquarters of the district, and shall there be kept in the malkhana of the Magistrate or the District Superintendent of Police, at the discretion of the Magistrate. If deposited in the Magistrate's malkhana, the nazir shall be responsible for their custody, and if deposited in the District Superintendent's malkhana, the Court Inspector shall be so responsible.

The Court Inspector (or the nazir as the case may be) shall keep a register in which the arms and other articles deposited shall be described and entered under serial numbers, and fresh tickets shall be affixed to them, showing the owner's name, &c, corresponding with the entries in the register.

If on the expiry of the period mentioned in section 16 of the Act the arms and other articles become forfeited to His Imperial Majesty, the Magistrate shall dispose of them as follows :—

(1) Arms, ammunition, and stores which can be utilized by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition, and stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled fire-arms or rifle barrels not so disposed of shall be sent to the nearest ordinance officer to be broken up. Other arms shall be broken up locally and the materials sold

(3) Any ammunition or stores not disposed of under the provisions of clause (1) shall be destroyed.

Appendix I,—LOCAL RULES AND ORDERS—UNITED PROVINCES.

In the case of gunpowder and other explosive materials Magistrates must make suitable arrangements for their safe custody, so as to guard against danger to life and property. As a rule the police magazine should be the place of deposit for such materials.

These orders will apply also to arms, ammunition and military stores confiscated under section 24 of the Act.

VII.—(*a*) When any arms, or other articles, are confiscated under section 24, the convicting Magistrate shall, immediately on conviction, pay a reward of not less than half the estimated value on the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offender and seizure of the arms or other articles. Such payments will be charged against Law and Justice, and be drawn by Magistrates in their contingent bills.

(*b*) Any Magistrate convicting an offender of any offence under the Act may, at his discretion, grant a reward, not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offenders or the seizure of the arms or other articles.

(*c*) If no fine is inflicted, or if a larger reward than the fine imposed seems needed, *and in all cases in which persons are apprehended or arms or other contraband articles seized* the Magistrate of the district is hereby authorized to pay rewards, at his discretion, to the persons who have contributad to the arrest of the offenders, or the seizure of the arms or other contraband articles, up to the limit of Rs. 100 in each case, and up to Rs 500 with the sanction of the Commissioner of the division. Rewards exceeding Rs. 500 shall not be paid without the sanction of Government.

(*d*) If such cases occur before a Subordinate Magistrate, he should at once forward the papers connected with the case, together with his recommendation as to the amount of the reward and the persons to whom it should be paid, to the Magistrate of the district, who will at once pass such orders thereon as shall seem required.

Provision for rewards under this rule should be made by magistrates in their district budgets; but informers who bring to light breaches of the Arms Act should be rewarded under the rules relating to rewards of class (*b*) in paragraph 367 of the Police Regulations.

Rewards payable to police officers shall be credited to sub-head XVII, Police--Miscellaneous—'Rewards to police received from other departments and the public,' and drawn by the Superintendent of Police from head '20, Police 41' for distribution

VIII.—Every Magistrate shall keep a register of the licenses granted by him under rule 11 of the rules framed by the Government of India to manufacture, convert or sell or keep arms, ammunition and military stores. Such register shall be in the Form E annexed. A copy of this register shall be furnished by the Magistrate to the District Superintendent of Police.

Appendix I.—LOCAL RULES AND ORDERS—UNITED PROVINCES.

The District Superintendent of Police will furnish to each officer in charge of a police station an extract, columus 1 to 6, giving the names of the persons living within his jurisdiction who hold licenses: and each Circle Inspector shall receive from the District Superintendent of Police an extract giving the names of all persons living in his circle who hold licenses.

Every Inspector, when making the inspection directed in Rule II, shall enter in his copy of the register, in one of the subordinate columns of column 7, the date on which he made the inspection. If the inspection disclose no irregularity or breach of the rules, no report will be made. But if, at the inspection, any fact is brought to light which it is advisable that the Magistrate shall know, the Inspector shall send a special report to the Magistrate, through the District Superintendent of Police, noting in the column of remarks in his register the date on which the report was sent.

Every Subordinate Magistrate, District Superintendent of Police and Assistant District Superintendent, making an inspection as directed in Rule II, shall send to the Magistrate of the district a report of the result of his inspection, for incorporation in the register, column 7.

At the close of the calendar year the Circle Inspectors will send their registers to the District Superintendent of Police for transmission to the Magistrate, who will enter in his register the facts recorded by the Inspectors opposite to the name of each licensee.

A register in English shall be maintained in the mag istrate's office giving the name of each licensee under the two heads of (A) headquarters shops, and (B) outlying shops, and quoting the date of inspection in each year by (1) the magistrate or his assistant, and (2) the District Superintendent of Police or his assistant. The Commissioner, when on tour, shall examine and initial the register and see that the standing orders on the subject are complied with.

IX.—A register in Form F shall be kept by the Magistrate of all licenses to keep and sell arms, ammunition and military stores, and the same rules shall, *mutatis mutandis*, be observed with regard to this register as are laid dowu in rule VIII for the register in Form E.

X.—Separate registers in Forms G, H, J, shall be kept by Magistrates of the licenses granted under rules 13, 15, and 16, respectively, of the rules framed by the Government of India.

The Magistrate will supply a copy of each of these to the District Superin tendent of Police. The District Superintendent will furnish to each officer in charge of police station an extract giving the parts that concern his jurisdiction.

XI.—Weapons for which licenses have been granted under rule 16 shall ordinarily be inspected by a Magistrate while on tour, or by the Tahsildar. The fact of the inspection shall be endorsed on the license, and a report sent to the headquarters, to be entered in column 9 of the register opposite the name of each licensee, year by year.

A similar inspection shall also be made of weapons for which licenses have been granted under rule 13 (in Form VIII). In both cases the Inspecting

Officer shall compare the weapon produced with the description of it entered in the license.

XII.—In licenses granted in Forms VIII, IX, X or XI the description of the weapon shall be entered in full detail in the column provided for the purpose. It is not sufficient to enter the words "one gun" without any further particulars descriptive of the article. In the case of licenses granted for the first time, a period of one month should be allowed within which to produce the weapon for inspection and entry of the necessary particulars, failing which the license should be cancelled

---

To facilitate the description of a weapon and its identification, the system of stamping the arm with a number, and a distinguishing letter or letters for each district has been generally adopted With reference to the system the following instructions have been issued :—

(1) Both a number and a letter should be used. Unless a letter is added it would be impossible to trace arms imported from districts other than that in which they are found.

(2) The letter used must be a distinguishing one, *e. g.* it is not sufficient to use F. for Fatehpur: in this case the letters F. P. would be the distinguishing ones.

(3) No number must be repeated, and the series used should apply to licenses in both Forms VIII and XI, unless the number of the form (*i. e.* VIII or XI) is also stamped on weapons.

(4) The arms should be stamped with steel punches which can be obtained from Roorkee; they should not be branded, as this practice disfigures them unnecessarily.

(5) It is not necessary that the serial number of the license should correspond with that of the weapon.

(6) It is unnecessary to enter in the license a detailed description of the weapon if the number and letters are entered.

(7) It is unnecessary to mark weapons which already bear a distinguishing mark of some kind, *e.g* the number and stamp of the vendor.

The following instructions are issued in order to facilitate the annual grant-renewal, and distribution of arms licenses in Form VIII :—

1.—Applications for licenses in Form VIII, or for renewal thereof, which are required to be written on impressed paper of the value of eight annas for each weapon in disarmed districts, and of four annas for each weapon in districts which have not been disarmed, should ordinarily be presented to a Magistrate or sent by post registered, so as to reach the District Magistrate by the 15th December in each year

2.—If the application be for the grant of a new license, the applicant should if necessary, be required to present himself in person Otherwise the prescribed inquiry should be made; but for this purpose the agency of the police should be avoided.

3.—If the application be for renewal of license, no inquiry should ordinarily be necessary beyond a reference to the register in Form G, but the District Supe-

intendent of Police should bring to the notice of the Magistrate during the year any irregularity or breach of the rules framed under the Act, or of the conditions of the license, and an abstract of such report and of any orders which may have been passed thereon should be entered in column 9 of this register.

4.—The forms of license should be printed on stout, durable paper, procurable at the Government Press It is not necessary to issue fresh forms annually in case of renewal, but it will be sufficient to endorse the old forms with a stamp bearing the words "renewed up to 31st December 19 ."

5 —Licenses should ordinarily be ready for delivery by 15th January at the latest, and it shall be optional for applicants to appear in person and take delivery on that date or on a date to be fixed by the District Magistrate, or to have them sent through the village chaukidars The mode of exercising this option should be stated in the application for grant or renewal.

6.—Licenses to be delivered through village chaukidars should be sent through the office of the District Superintendent of Police, accompanied by a list and a separate invoice of each license, to the officers in charge of the police stations within the jurisdiction of which the licensees reside. Each license with its invoice should be made over, for delivery to the licensee, to the chaukidar of the licensee's village, on the occasion of the chaukidar's next periodical visit to the police station after the receipt of the licenses. The date of making over the license to the chaukidar should be endorsed on the invoice, and on the occasion of his following visit to the police station the chaukidar should return the invoice signed and dated by the recipient, and report the date of actual delivery

7 —The list and invoices should be returned to the Magistrate through the District Superintendent of Police, who should scrutinize them, and bring all cases to the Magistrate's notice in which more than a fortnight's delay may have taken place in the delivery of any license

8.—Copy of the entries in Register G should ordinarily be furnished to the District Superintendent of Police by the 1st February, for compliance with Rule X.

Form A.

Store book of , son of , caste
resident of mauza , pargana , district
licensed to manufacture, convert or sell or keep arms, ammunition and military stores.

1	2	Description.								
		3			4				5	6
		Fire-arms.			Other weapons.					
Date.		Guns.	Pistols.	Others.	Swords.	Bayonets.	Daggers.	Others.	Ammunition.	Military stores.
January 1st ...	In store ...									
	Added to store ...									
	Disposed of ...									
January 2nd ...	In store ...									

NOTE.—Details not provided for in columns 3,4,5,6, should be entered in MS.

Form B.

Store book of , son of , caste
resident of mauza , pargana , district
licensed to keep and sell arms, ammunition and military stores.

1	2	Description.								
		3			4				5	6
		Fire-arms.			Other weapons.					
Date.		Guns.	Pistols.	Others.	Swords.	Bayonets.	Daggers.	Others.	Ammunition.	Military stores.
January 1st ...	In store ...									
	Added to store ...									
	Disposed of ...									
January 2nd ...	In store ...									

NOTE.—Details not provided for in columns 3, 4, 5, should be entered in MS.

Form C.

Day book of , son of , caste
resident of Mauza , pargana , district
licensed to manufacture, convert or sell, or keep arms, ammunition or military stores.

1	2	3	4	5	6	7*
Date.	Name of purchaser with father's name.	Caste.	Residence.	Articles purchased.	Price paid.	Form and date of license held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption.

* This column was added by G. O. No. 3147/VI—190 B, dated 23rd September 1890.

Form D.

Day Book of , son of caste
resident of mauza , pargana , district
licensed to keep and sell arms, ammunition and military stores.

1	2	3	4	5	6	7*
Date.	Name of purchaser, with father's name.	Caste.	Residence.	Articles purchased.	Price paid.	Form and date of license held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption.

* This column was added by G.O. No. 3147, VI—190B, dated 23rd September 1890

Form E.

Register of licenses to manufacture, convert or sell or keep arms, ammunition or military stores in district.

1	2	3	4	5	6	7					8
						Result of inspections.					
Tahsil.	No.	Name of licensee.	Father's name, caste, &c.	Place of business.	Date.	By Inspector of Police.				By Magistrates or Superintendents of Police.	Remarks.
						Quarter.					
						1st.	2nd.	3 rd.	4th.		

Form F.

Register of licenses to keep and sell arms, ammunition and military stores in district.

1	2	3	4	5	6	7					8
						Result of inspections—					
Tahsil.	No.	Name of licensee.	Father's name, caste, &c.	Place of business.	Date of license	By Inspectors of Police.				By Magistrates or Superintendents of Police.	Remarks.
						Quarter.—					
						1st.	2nd.	3rd.	4th.		

Form G.

Register of licenses to possess arms or ammunition and to go armed for purposes of sport, prortection or display in district.

1	2	3	4	5	6	7	8	9
Tahsil.	No.	Date of licensee.	Name of licensee.	Father's name, caste, &c.	Residence.	Number and description of weapons.	Description of ammunition.	Remarks.

Form H.

Register of licenses to possess arms, ammunition or military stores in a district which has not been disarmed.

1	2	3	4	5	6	7	8	9
Tahsil.	No.	Date of license.	Name of license-holder.	Father's name, caste, &c.	Residence.	Description of weapons.	Where to be kept.	Date of expiry of license.

Form J

Register of licenses to possess arms and ammunition for the purpose of destroying wild animals in district.

Tahsil.	No.	Date.	Name of license-holder.	Father's name, Caste, &c.	Residence.	Place for which license is valid.	Weapon.	Date of expiry of license.	Note of Magistrate inspecting weapon and license.					Remarks.
									Years.					
									1st.	2nd.	3rd.	4th.	5th.	

Appendix I—LOCAL RULES AND ORDERS—UNITED PROVINCES.

All Magistrates are requested to cause the provisions of section 28 of the Arms Act, to be widely notified in their district, in order that the public may be made aware of the responsibility that the law imposes on them with regard to giving information of offences under the Act. The rules framed by this Government provide for the payment of rewards to all persons who may give information of commission of offences, or who may assist in the arrest of offenders or the seizure of contraband articles. These provisions should be notified at every tahsil and police station in each district, that all persons may know the risks that they run by omitting to give information of offences, and the reward which may be earned by co-operating with the authorities.

All public carriers in each district should be informed of the responsibilities which are now specially imposed upon them by the second clause of section 28 with regard to packages or bales in transit which are suspected to contain arms, ammunition or military stores, in respect of which an offence against the Act has been or is being committed.

---

* * * Vide note (2) to Section 24 of the Act.

Magistrates of districts should receive from Magistrates no more act systematically upon the orders cited in the margin Injudicious punishments for petty or venial offences against the Arms Act do much mischief and cause great hardship; and Commissioners and District Magistrates are responsible for superintending the proceedings of their subordinates in the matter. There is no reason why licenses to possess arms, especially for sport and the destruction of wild animals, should not be granted liberally to respectable landowners and to other persons of property and good repute in the country. And it is a matter of nothing more than common sense and discretion that inadvertent or immaterial breaches of the Act should punishment than is necessary to maintain the law.

As a rule, offences cognizable under the Act, which were due to ignorance or carelessness, would be sufficiently punished by a fine: and imprisonment should not be awarded unless from the character of the offender or otherwise it can fairly be presumed that the arms were kept for an unlawful purpose. Commissioners and Magistrates should continue to scrutinize the proceedings of their subordinates attentively; should take pains to see that the law is not worked harshly; and should report to Government all cases in which excessive punishments were awarded, or arms improperly confiscated.

With a view to enable Commissioners to scrutinize the working of the Arms Act in their divisions, the following form showing the punish-

ments, &c., inflicted by Magistrates for breaches of the provisions of the Act should be submitted by Magistrates to the Commissioner at the close of each month :—

Return showing the punishments inflicted for breaches of the Arms Act.

District.	Name of person punished.	Section and clause of Act under which punished.	Punishment awarded.	Remarks by Magistrate.

Owing to the incorrect view adopted by a Magistrate, that search for arms can only be made when it is shown that the weapons are likely to be used for an illegal purpose, the exact procedure which should be adopted in searching for arms is pointed out for the guidance of Magistrates.

Practically all the districts in the United Provinces have been disarmed. Consequently any one not coming under any exemption, who has in his possession or under his control arms of any description, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby, is punishable under section 19 (*f*), Act XI of 1878, with imprisonment for a term which may extend to three years, or with fine, or with both. As this offence is one cognizable by the police (*vide* Schedule II of the Criminal Procedure Code), an officer in charge of a police station having reason, from information received or otherwise, to suspect that it has been committed, is empowered (section 157) to investigate the case, and in certain circumstances to search for the article (section 165), the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance (section 191) of such an offence might issue a search warrant under section 96, Criminal Procedure Code. In both cases the provisions of section 30, Act XI of 1878, and the orders issued under it, would govern the procedure of the person conducting the search. The search must be made in the presence of one of the persons specially appointed by virtue of office for the purpose (*vide* Note to section 30 of the Act page 33).

Mere speculative searches are not of course authorized by the law. Before taking action the police officer must have reason to suspect the commission of the offence, and the Magistrate must either know or suspect that the offence has been committed, or must receive a complaint or police reports of facts which constitute the offence.

In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, Act XI of 1878, section 25 of the Act will not apply. Section 25 would cover the case of a person even lawfully entitled to possess arms who is believed to be about to use them for an unlawful purpose, or who cannot be left in possession of them without danger

to the public peace. It appears " to refer to cases in which the Magistrate considers that arms, whether under a license or not, are possessed for an illegal purpose or under circumstances such as to endanger the public peace " (*vide* ruling in case of Queen-Empress *vs* Tegha Singh, I. L. R., 8. Calcutta, * page 473.) If a Magistrate finds it necessary to take action under section 25, the grounds of his belief that the person whose house is to be searched possesses arms for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded, as prescribed by the provisions of the section, which have been repeated by the High Court in the ruling in the case of Queen-Empress *vs*. Sangam Lal † (Weekly Notes of March 6th, 1893).

* Vide note (11) to section of the Act.

† Vide note (8) of the Act

The High Court, North-Western Provinces, and Judicial Commissioner, Oudh, have prescribed the rule given below regarding the sale by public auction of guns or other arms in execution of decrees. On receiving such an intimation from a Civil Court as is ordered in the rule, Magistrates should take action so as to ensure that the requirements of the Indian Arms Act and rules thereunder are not contravened : —

" Whenever guns or other arms in respect of which licenses have to be taken by purchasers under the Indian Arms Act. XI of 1878, are sold by public auction in execution of decrees, the court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of such arms so that proper steps may be taken by the police to enforce the requirements of the Indian Arms Act."

The following rules are laid down for the treatment of records relating to arms licenses :—

1. Applications for licenses shall, if the license be granted, be kept for one year from the date of the expiry of the license, whether the license be annual or quinquennial. Thus an application presented in December 1884 for a license to carry arms in 1885 may be destroyed after December 1886. If the application, is refused it shall be retained for three years from the date of refusal.

2. Papers regarding the deposit of arms in police stations under the provisions of section 16 of the Act shall be kept for five years from the date of the order of deposit.

3. Papers regarding the cancelling or suspension of licenses (section 18 of the Act) shall be kept for three years, unless there is any special reason for their retention for a longer period.

It should be understood that these rules do not affect any papers forming part of the record in criminal and police cases, and dealt with as such under

the rules of the High Court or Judicial Commissioner, or of the Police Department.

Magistrates and Deputy Commissioners should prepare, at the close of each calendar year, and submit to the Commissioner, a report on the working of the Act during the year This report should notice briefly the results of the various inspections prescribed by rule, convictions and punishments—particularly where special circumstances were held to justify very light or very severe sentences—rewards granted, any great increase or decrease in the number of licenses granted; and generally any facts of importance connected with the working of this Act. The annexed forms should be filled in and submitted with the report.

It is the Commissioner's duty to review the district reports of his division and to pass suitable orders on such matters falling within his province as require them. He should then prepare a divisional report, with the necessary statements, and submit it to Government by the 1st of March. If any of the required information is wanting, the Commissioner should call for it before submitting his report.

Recommendations for exemption should be made the subject of a *separate* annual reference. Commissioners should submit the recommendations, if any, of District Magistrates in the month of March each year.

Section 13, Act XI of 1878, and rule 13, make it clear that a license for a journey is valid only for the journey and for such time as may be fixed for the journey. Such a license is given by the magistrate of the district in which the traveller resides. Such a magistrate cannot give a license for sport in a district outside his jurisdiction. It therefore follows that the holder of a license in form IX must take out a separate license in form VIII in the district in which he wishes to use his weapons for purpose of sport.

* * * Vide note (8) to section 4 of the Act.

Form

Return of Licenses granted under the Indian Arms

1	2	3	4	5			6				
Serial number.	Detail of licenses.	Number of licenses in force on the 31st December of the previous year	Number of licenses in force at the beginning of the year.	Operations of the year.			Number of licenses in force at the end of the year.	Number of			
								Breach-loading.			
								Rifles.		Smoth bores.	
				(a) New licenses.	(b) Renewed licenses.	(c) Licenses in force at any time during the year which became void before its close.		D.-B.	S.B	D.-B.	S.-B.
1	In Form I, to import, transport, or possess cannon, &c.										
2	In Form II, to transport arms, ammunition, or military stores.										
3	In Form V, to export by land or river arms, ammunition, or military stores.										
4	In Form VI, to manufacture, convert or sell or keep arms, ammunition, or military stores.										
5	In Form VIB, to manufacture convert or sell or keep for sale arms, ammunition, or military stores.										
6	In Form VII, to keep and sell arms, ammunition, or military stores.										
7	In Form VIIB, to keep and sell arms, ammunition, or military stores.										
8	In Form VIII, to possess arms or ammunition and to go armed for purposes of sport, protection, or display.										
9	In Form IX, to go armed on a journey.										
01	In Form X, to possess firearms, ammunition, or military stores in a district which has not been disarmed.										
11	In Form XI, to possess arms and ammunition for the purpose of destroying wild animals.										
12	In Form XII, to possess and transport gunpowder and fuses for blasting purposes.										

Column 3.—In this will be entered all licenses in force on the 31st December of the year on that date or not. The number will correspond with that in column 6

Column 4.—The number of licenses entered in this column is the number of licenses in force on

Column 5.—(*a*) Enter, with the following exceptions, licenses granted to persons who did Form II, V, and IX will be entered in this column, whether or no similar

(*b*) Enter licenses granted to persons who held one in the previous year in

Column 6.—Will be the total of columns 4 and 5 (*a*) and (*b*) *minus* the number in column

Column 7.—Note that those arms only held under a license in force at the end of the year which expired during the year or under any other license entered in col--

Columns 3—7—Suspensions of licenses should be ignored in filling up columns 3—7 and held as "void.'

Column 9.—If a license in Form VI or VII is granted to cover arms only or military stores

Act, XI of 1878, *in the district of* *for the year* 190

7											8	9
weapons covered by licenses shown in column 6.												
Muzzle-loading.												
Rifles.		Smooth-bores.										
D.-B.	S.-B.	D.-B.	S.-B.	Pistols.	Revolvers.	Total number of fire-arms.	Swords.	Other weapons.	Total number of weapons.	Number of licenses covering ammunition of the prohibited bores (303, ·450, and ·577 M.-H. and Snider) [rule 13B].	Number of licenses in column 5 (c) which were revoked for breach of conditions of licenses of misconduct of the license-holder.	Remarks.

previous to that for which the return is submitted, whether the period of the grant expired of the previous year's return.

31st December of the previous year (entered in column 3) which did not expire on that date.

not hold similar ones during the previous year. *All* licenses granted during the year in licenses were granted to the holders during the previous year.

consequence of those licenses having expired at the end of it.

5 (c).

are to be entered Thus, arms held under a license in Form IX (to go armed on a journey) umn 5 (c) would not be included in this column.

noticed in column 9, "Remarks." Licenses which are merely suspended are not to be

only, this should be noted in colum of Remarks

Form

Annual statement of the operation of the Arms Act, XI of 1878, in

Number of persons punished under—														
Section 19, for offences under—									Section 20, for secret breaches.	Section 21, for breach of license.	Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorized to possess.	Section 23, for breach of rule.	Section 28 for failure to give information as required in section 28.	Total punished (columns 1 to 14).
Clause *a*.	Clause *b*.	Clau	Clause *d*.	Clause *e*.	Clause *f*.	Clause *g*.	Clause *h*.	Clause *i*.						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

NOTE.—Columns 16—23 cover only weapons confiscated under Section 24, Act XI of 16 should be entered.

Appendix I—LOCAL RULES AND ORDERS.—UNITED PROVINCES

L.

the district of *for the year*

Number and description of weapons confiscated.								Value of fines imposed and realized.	Amount paid as rewards to informers, etc.,		Remarks.
Rifles.	Smooth-bore guns.	Pistols.	Swords.	Bayonets.	Daggers or knives.	Spears.	Others.		From Magistrate's special grant.	From police reward budget.	
16	17	18	19	20	21	22	23	24	25	26	27

1878, after conviction of an offender. The number of weapons confiscated under section in column 27?

Appendix I—LOCAL RULES AND ORDERS.—PUNJAB.

GOVERNMENT OF PUNJAB, NOTIFICATION No. 711½ DATED THE 18TH FEBRUARY 1880.

The Hon'ble the Lieutenant-Governor has been pleased to prescribe the following rules for close season for game in the Punjab.

In pursuance of the provisions of rule 20, published in Notification No. 518 of 6th March 1879, and issued by the Governor-General in Council under Section 7 of the Indian Arms Act (No. XI of 1878), the Lieutenant-Governor of the Punjab is pleased to prescribe the following rules regarding a close season for game in the Punjab

1. The close season for the game noted in rule 2, shall be throughout the Punjab from 15th March to 15th September, both days inclusive.

2 Such close season may be prescribed in the case of game of the following classes, but, subject to the provisions of rule 3, there shall be no close season for any other birds or animals.

Partridges of all kinds.
Sand grouse.
Pea fowl.
Jungle fowl.
Pheasants.
Bustard.
Florican.
Hares.

3. In accordance with the above rule, the Deputy Commissioner of the district shall cause the description of such game only as he considers to need protection in his district to be endorsed on the reverse of the license granted under Sections 13 and 16 of the rules made by the Government of India. The close season will then apply, in respect of the license-holder and in the district where the license is granted, to game of the descriptions so endorsed.

4. In all districts in which the Deputy Commissioner considers it desirable, a condition may be endorsed on the license, that deer, wild sheep and goats shall not be shot during the breeding season. The license-holder will then be bound to observe such conditions.

HOME DEPARTMENT,

GENERAL.

GOVERNMEMT OF PUNJAB NOTIFICATION No. 943.—DATED THE 10TH JULY 1907.

The following revised rules which have been made by His Honour the Lieutenant Governor under the Indian Arms Act, 1878 (Act XI of 1878), are hereby published for general information, in supersession of the rules published with Punjab Government notification No. 1956, dated the 19th of May 1879 :—

RULES.

POWERS.

For paras. I, II and III see notes to sections 6, 25 and 30 of the Act.

STOCK AND ACCOUNT BOOKS TO BE KEPT BY LICENSED MANUFACTURERS AND DEALERS.

IV.—All persons holding licenses to manufacture, convert, keep and sell arms, ammunition or military stores shall keep up stock books and accounts of receipts and issues in the forms A and B of the appendix to these rules ; and

all persons holding licenses to keep or sell arms, ammunition or military stores shall maintain stock and account books in forms C and D.

The pages of these books are to be numbered, and before any entries are made the books shall be exhibited, together with the manufacturer's or dealer's license, to the Magistrate of the district or to a subordinate Magistrate.

Such Magistrate will sign the first and last pages of each book and seal them with his official seal.

V.—The shops, premises and stocks of all licensed manufacturers and dealers shall be inspected once in every quarter by a police officer not below the rank of Assistant Superintendent of Police or Inspector where there is no Assistant Superintendent, and once at least in every year by the Superintendent of Police.

At the time of inspection the books shall be initialled by the inspecting officer

Any irregularity or breach of the rules which may be noticed shall be at once reported to the Magistrate of the district.

VI.—On receiving notice of a sale under clause 2, section 5, by a person lawfully possessing arms to any person not prohibited from possessing the same, the Magistrate or police officer may make inquiries as to the correctness of the purchaser's name and address, and if necessary, obtain a report from the Superintendent of Police of the district in which the purchaser lives.

ARMS DEPOSITED IN POLICE STATION.

VII.—When any arms, ammunition or military stores have been deposited at a police station under section 14 or 16 of the Act, the officer in charge of the station shall affix to each weapon or article a ticket showing the name of depositor and the date of deposit and shall give the depositor a duplicate copy of the same.

After seven days, if the owner has not obtained a license authorising him to possess them, the arms, ammunition or military stores shall be forwarded to the headquarters of the district and kept in the malkhana of the Magistrate of the district or in the Police Magazine.

The sheriff or other ministerial officer to whom they are entrusted shall keep a register in which the articles so deposited shall be described and entered under serial numbers, and fresh tickets shall be affixed showing the owner's name and the corresponding number of the register.

ARMS AND MILITARY STORES SEIZED.

VIII.—Arms, ammunition or military stores seized under sections 11, 25 or 26 shall be similarly dealt with

DISPOSAL OF CONFISCATED ARMS.

IX.—Arms, ammunition or military stores that have become forfeited to His Majesty under sections 14 and 16, or that have been confiscated under section 24, shall be disposed of as follows :—

(1) Arms, ammunition and stores which can be utilised by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and stores not so retained may be sold to licensed dealers or other persons entitled to possess them.

(2) Any rifled fire-arms or rifle barrels not so disposed of shall be sent to the nearest Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold.

(3) Any ammunition or stores not disposed of under the provisions of clause (1) shall be destroyed.

REWARDS TO INFORMERS.

X.—When any arms or other articles are confiscated under section 24, the convicting Magistrate shall, immediately upon conviction, pay a reward of not less than half the value of the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offenders and seizure of the arms or other articles.

Such payments will be chargeable to Law and Justice, and be drawn by Magistrates in their contingent bills.

XI.—Any Magistrate convicting an offender of any offence under the Act may at his discretion grant a reward not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.

REGISTERS OF LICENSES.

XII.—Every Magistrate of a district shall keep up in form E of the appendix to these rules a register of all licenses to manufacture, convert, keep or sell, granted by him under rule 11 of the rules issued by the Government of India, and shall keep up in form F, a register of all licenses to keep or sell granted by him under the sams rule.

All Superintendents of Police shall keep up similar registers in English. Magistrates of districts will supply to their Superintendents of Police copies of all such licenses issued by them.

The Superintendent of Police will furnish to each officer in charge of a police Station copies of extracts, columns Nos. (1) to (6) giving the names, &c., of persons licensed within his jurisdiction.

XIII.—All inspections of the shops, premises and stocks of licensed manufacturers and vendors by Inspectors of Police or superior officers shall be reported to the Magistrate of the district, and shall be entered in the registers.

XIV.—Registers of licenses granted by the Magistrate of the district under rules 13, 15 and 16 of the rules made by the Government of India shall be kept up by him in forms G, H and I respectively.

Similar registers will be kept up in English by the Superintendent of Police, to whom the Magistrate of the district will furnish copies of all such licenses granted by him.

The Superintendent of Police will supply each officer in charge of a station with an extract giving the parts of each register which concern his jurisdiction.

XV.—In place of the returns prescribed in circular No.—7—669, dated 26th April 1867, and No. 12—944, dated 21st June 1867, the Lieutenant-Governor is pleased to direct that the forms K, L of the appendix to these rules be used.

Both returns will be prepared for the calendar year, and be submitted through Commmissioners to the Inspector-General of Police.

FORM A.

Stock book of son of , caste , resident of , licensed to manufacture, convert, sell or keep arms, ammunition or military stores.

1	2	3	4	5	6	7	8	9	10	11	12
		Description.									
		Fire-arms.		*Other weapons.*							
Date.	Particulars.	Guns.	Pistols.	Swords.	Bayonets.	Daggers.	Other.	Ammunition.	Military stores, including lead, sulphur and saltpetre.	Name and address of the dealer or firm supplying the articles received.	Signature of licensee.
January 1st..	*In store—* Manufactured										
	Received .										
January 2nd	Disposed of..										
	In store ...										

FORM B.

Daily sale book of , son of , caste , resident of licensed to manufacture convert, sell or keep arms, ammunition and military stores.

1	2	3	4	5	6	7
Date.	Name and father's name of purchaser.	Caste and profession of purchaser.	Residence of purchaser.	Articles purchased.	Price.	Signature of purchaser and dealer.

FORM C.

Is the same as form A, except that in heading for words "licensed to manufacture," &c., read "licensed to keep and sell," &c., and in column 2 omit the word "*manufacture.*"

FORM D.

Is the same as form B, except that in heading for the words "licensed to manufacture," &c., read "licensed to keep and sell," &c.

FORM E.

Register of licenses to manufacture, convert, keep or sell arms, ammunition or military stores in district—

1	2	3	4	5	6	7		8
Tahsil.	No.	Name of licensee.	Father's name, and caste and residence	Place of business.	Date.	INSPECTIONS BY. Assistant Superintendents or Inspectors of Police. 1st. 2nd. 3rd. 4th.	By Magistrate of district or Superintendent of Police.	REMARKS.

FORM F.

Is the same as form E. except that in heading for "licensed to manufacture," &c., read "licensed to keep and sell," &c.

FORM G.

Register of licenses to possess arms or ammunition, and to go armed for the purposes of sport protection or display in ———— district.

1	2	3	4	5	6	7	8
Tahsil.	No.	Date.	Name of license-holder.	Father's name, caste, &c.	Residence.	Number and description of weapons.	REMARKS.

FORM H.

Register of licenses to possess arms ammunition or military stores in a district which has not been disarmed.

DISTRICT _____

The first seven columns as in from G.	8	9	10
	Place where the arms are to be kept.	Term for which license is valid.	REMARKS.

FORM I.

Register of licenses to possess arms and ammunition for the purpose of destroying wild animals in _____ District.

1	2	3	4	5	6	7	8	9	10					11
Tahsil.	No.	Date.	Name of license holder.	Father's name and caste.	Residence.	Place for which license is valid.	Weapon.	Date of expiry of license.	INSPECTIONS BY MAGISTRATE OF WEAPON AND LICENSE.					REMARKS.
									1st. year.	2nd year.	3rd year.	4th year.	5th year.	

FORM K.

Return of licenses granted under Act X of 1878 in the district of _____ for the year.

	1	2	3	4	5	6	7	8
	DETAIL OF LICENSES.	Number of licenses in force last year.	OPERATION OF THE YEAR.			Number in force at end of present year.	Remarks by Deputy Commissioner.	Remarks by Commrs.
			New license.	Renewed licenses.	Revoked or suspended.			
1	In form II to transport arms, ammunition or military stores.							
2	In form VI to manufacture, convert, or sell or keep.							
3	In form VII to keep and sell.							
4	In form VIII to possess arms or ammunition and to go armed for purposes of sport, protection or display.							
5	In form IX to go armed on a journey.							
6	In form X to posess arms, ammunition or military stores in a district which has not been disarmed.							
	In form XI to possess arms or ammunition for the purpose of distroying wild animals.							

THE INDIAN ARMS ACT MANUAL.

Appendix I.—LOCAL RULES AND ORDERS.—PUNJAB.

FORM L.

Annual statement of the operation of the Arms Act XI of 1878, in the district of _____ for the year. _____

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
NUMBER OF PERSONS PUNISHED UNDER.														NUMBER AND DESCRIPTION OF WEAPONS CONFISCATED.										
Section 19, for offences under.																								
Clause a.	Clause b.	Clause c.	Clause d.	Clause e.	Clause f.	Clause g.	Clause h.	Clause i.	Section 20, for secret breaches.	Section 21, for breach of license.	Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorised to possess.	Section 28, for failure to give information as required in section 28.	Total punished (columns 1 to 13).	Rifles.	Smooth-bore gun.	Pistols.	Swords.	Bayonets.	Daggers or knives.	Spears.	Others.	Value of fines imposed and realised.	Amount paid as rewards to informers, &c.	REMARKS.

This return will be submitted yearly through Commissioners to the Inspector-General of Police.

Deputy Commissioner.

Appendix I.—Local Rules and Orders.—Punjab.

(No. 899 S. (Home—Genl.)

FROM

THE HON'BLE MR. E. D. MACLAGAN, C.S.I., I.C.S.,

Chief Secretary to Government, Punjab, and its Dependencies.

To

ALL COMMISSIONERS OF DIVISIONS AND DEPUTY COMMISSIONERS IN THE PUNJAB.

Home.
General.

Dated Simla, the 29th June 1910.

SIR,

THE existing orders as regards the application of the Arms Act to native officers and soldiers are summarized below, and this summary should be substituted for that given in this office Circular No. 1303 of 5th November 1908.

2. (*a*) All retired officers and non-commissioned officers of the Native Army who are in receipt of a pension as such, or who, not being in receipt of a pension, have been recommended by their Commanding Officers for exemption, are with certain reservations exempted from the operation of the prohibitions contained in sections 13—16 of the Indian Arms Act of 1878 (see Enclosure I below)*, that is to say, speaking generally, from the necessity of obtaining a license for going armed or possessing arms (see Enclosure II below) †.

(*b*) Indian soldiers on furlough may, if provided with a pass from the Officer Commanding, be in possession of one gun and 20 cartridges (see Enclosure III) ‡.

(*c*) Retired soldiers and reservists are not (except as regards the kukris of Gurkhas) exempted from any of the provisions of the Arms Act. They are on the same footing in respect of the Act as the public at large, except that a reservist who desires a license must apply through the Commanding Officer of his late regiment, and a Magistrate who is not prepared to give a license to a reservist should communicate his reasons to the Commanding Officer.

3. The information supplied to the District Magistrate under article 692, Army Regulations, India, Volume II (see Enclosure III)‡ should be communicated by that officer to the Superintendent of Police.

---

* Enclosure I. Extract Sections 13—16 of Act XI of 1878—printed on pages 15 to 20 of the Manual.

† Enclosure II. Extract from Schedule I [clauses (3), (5) and (6)] to the rules issued under Government of India, Home Department notification No. 3102 dated the 16th August 1909 printed on pages 76 to 78 of the Manual.

‡ Enclosure III. Extract from articles 686—693 of the Army Regulations, India, Volume II, printed on pages 90 to 93 of the Manual.

THE INDIAN ARMS ACT MANUAL.

Appendix II.—RULES FOR THE ACQUISITION, POSSESSION AND SALE OF RIFLES.

India Army Order No. 12, *dated the* 3*rd January* 1910.

Possession and sale of Arms.—The following rules for the acquisition, possession and sale of rifles, extracted from the Indian Arms Act, 1878 (Act XI of 1878) and the Indian Arms Rules, 1909, are published for the information and guidance of all concerned. Special attention is drawn to paragraphs 5 and 6 of this order which define the obligations of persons exempted from the provision of the Arms Act.

1. The following persons are exempted, in respect of the arms and ammunition described, when carried or possessed for their own personal use, from the prohibitions and directions contained in Sections 13 to 16 of the Indian Arms Act, 1878, subject to the provisions stated below :—

(i) *Persons exempted.*

(*a*) Every Commissioned or Gazetted Officer of His Majesty's Military forces, every Commissioned Indian Officer of the Imperial Service Troops in active service, every member of the Imperial Cadet Corps every warrant officer, non-commissioned officer and soldier in the service of His Majesty, and every enrolled Volunteer.

Provided that an Indian soldier while absent from his regiment on leave shall be exempted only in respect of such arms and ammunition as may be covered by a pass granted to him by his commanding officer (*vide* also Army Regulations India, Volume II).

(Explanation). The term "soldier" as used in this clause does not include a "reservist."

(ii) Every retired commissioned or gazetted Indian officer or non-commissioned officer of His Majesty's Indian Forces and every retired commissioned or gazetted officer of Imperial Service Troops who—

(*a*) is in receipt of a pension as such, or

(*b*) not being in receipt of such a pension, has been recommended for exemption by his Commanding Officer by entry recorded on his discharge certificate.

2. (i) *Description of arms and ammunition exempted.*

All, except—

(*a*) Cannon,

(*b*) articles designed for torpedo service,

(*c*) war-rochets,

(*d*) rifles of ·303 inch or ·450 inch bore other than rifles of such bores lawfully imported into British India, and ammunition which can be fired from the same;

(Explanation). Lawfully imported refers to (*a*) rifles of ·303" bore purchased or imported by officers as part of their equipment before 1st May 1903, (*b*) rifles of ·303" bore or ·450" bore of the M. H. pattern, imported before the 20th February 1901, (*c*) rifles of ·450" bore *not* of the M. H. pattern, imported before the 27th October 1906, (*d*) rifles of ·303" bore imported under paragraph 4 of this order, (*e*) rifles of ·303" or ·450" bore imported under special sanction of the Government of India.

(*e*) machinery for the manufacture of arms and ammunition.

Appendix II.—RULES FOR THE ACQUISITION, POSSESSION AND SALE OF RIFLES

3. *Provisos and restrictions* :—

The arms or ammunition carried or possessed by any person herein exempted shall not exceed such quantities (if any) as- -

(*a*) the Government of India, or
(*b*) a local Government in respect of the territories administered by it or subject to its control,

may declare to be reasonable for him to carry or possess.

4 *Special exemptions.*

(*a*) (i) Every British Officer in staff, departmental and regimental employ, every enrolled member of a Volunteer Corps and every warrant officer or staff sergeant of a British unit of the Army (including a staff sergeant or warrant officer who is an instructor of a Volunteer Corps).

(ii) *Description of arms exempted.*

Single-barrel rifles of ·303 inch bore required for match shooting purposes.

(iii) *Provisos and restrictions*—

(*a*) Only one such rifle at a time shall be imported or used by any person hereby exempted.

(*b*) The rifle shall be sighted to a range of over 1,000 yards.

(*c*) The rifle shall in the case of regimental officers, warrant officers, non-commissioned officers and enrolled Volunteers become part of the equipment of the Corps to which the owner for the time being belongs.

(*d*) The owner shall, at the time of importation, produce a certificate from the Commanding Officer of the Corps, senior officer or Head of Department to which he belongs, to the effect that, in the case of regimental officers, warrant officers, non-commissioned officers and enrolled volunteers, the weapon will be brought on to the equipment ledger of the Corps, and in the case of staff and departmental officers will be brought on to the equipment ledger of a Corps in the officers command or office inventory of stores, and will be accounted for in the same manner as other equipment.

(*e*) This exemption shall in the case of enrolled volunteers cease to have effect on the owner leaving the Volunteer Force.

Provided that, if he departs from India immediately after so leaving, he may take the weapon with him.

(*f*) Any person hereby exempted may dispose of his rifle to another person so exempted, provided that the rifle becomes part of the equipment of the Corps to which the latter belongs, and is accounted for as such.

(*b*) (iv) Every pensioned Gurkha officer, non-commissioned officer or soldier of His Majesty's Indian Forces residing in British India.

(v) *Description of arms, etc.*— Kukris.

5. *Sale of Arms.*—Nothing shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use under paragraphs 1, 2, 3 and 4, above, to any person who is not by any enactment for the time

being in force prohibited from possessing the same, but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption by notification in the Gazette of India shall, without unnecessary delay, give to the Magistrate of the District, or to the officer in charge of the nearest police station, notice of the sale and of the purchaser's name and address.

6 *Losses of arms.*—Losses or thefts of private arms must be forthwith reported to the nearest police station through the Commanding Officer or Head of the Department.

NOTE.—With regard to rule 5 above, instances have come to notice of carelessness in the disposal of fire arms and ammunition, and of rifles and rifle ammunition having been sent for public auction, and so disposed of to persons not entitled to possess them. The Government of India have desired that severe notice be taken of any cases of negligence in these matters and that all concerned should be warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

Appendix III.—EXTRACT FROM THE INDIAN TARIFF ACT, VIII OF 1894 AND RULES AND ORDERS RELATING TO THE REFUND OF DUTY ON ARMS, AMMUNITION AND MILITARY STORES.

SCHEDULE II.—(IMPORT TARIFF)

ARMS, AMMUNITION AND MILITARY STORES.

including also any articles, other than those included in Nos. 1 to 12 of this Schedule, which are "arms" within the meaning of the Indian Arms Act and any articles which the Governor General in Council may, by notification in the *Gazette of India*, declare to be "ammunition" or "military stores" for the purposes of this Act.

	Name of Articles.	Duty. R	a.
1.	Firearms other than pistols, including gas and air guns and rifles, for each	50	0
2	Barrels for the same, whether single or double, for each	30	0
3,	Pistols, for each	15	0
4.	Barrels for the same, whether single or double, for each	10	0
5.	Springs used for firearms, including gas and air guns and rifles, for each	8	0
6.	Gunstocks, sights, blocks, and rollers, for each .	5	0
7.	Revolver-breeches, for each cartridge they will carry	2	8
8.	Extractors, nippers, heel-plates, pins, screws, tangs, bolts, thumb-pieces, triggers, trigger-guards, hammers, pistons, plates and all other parts of a fire-arm (including a gas and air gun or rifle) not herein otherwise provided for, and all tools used for cleaning or putting together or loading the same, for each.	1	8
9.	Machines for making, loading, or closing cartridge for each	10	0
10.	Machines for capping cartridges, for each .	2	8

Exception I.—Articles falling under the 5th, 6th, 8th, 9th or 10th head of the foregoing list, when they appertain to a fireman falling under the 1st or 3rd head, and are fitted into the same case with such firearm, are free.

Exception II.—The following are also free, namely :—

(*a*) Arms forming part of the regular equipment of an officer entitled to wear diplomatic, military, naval, or police uniform ;

(*b*) a sword, a revolver, or a pair of pistols, when accompanying an officer of Her Majesty's Regular Forces, or a commissioned officer of a volunteer corps, or certified by the commandant of the corps to which such officer belongs, or, in the case of an officer not attached to any corps, by the officer commanding

Appendix III—EXTRACT FROM THE INDIAN TARIFF ACT, VIII OF 1894 AND RULES AND ORDERS RELATING TO THE REFUND OF DUTY ON ARMS, AMMUNITION AND MILITARY STORES.

the station or district in which such officer is serving to be imported by the officer for the purposes of his equipment ;

(*c*) swords and revolvers which are certified by an Inspector-General of Police to be part of the ordinary equipment of members of the Police force under his charge ;

(*d*) swords forming part of the equipment of native commissioned officers of Her Majesty's Army ;

(*e*) swords for presentation as army or volunteer prizes ;

(*f*) arms, ammunition, and military stores imported with the sanction of the Government of India for the use of any portion of the military forces of a Native State in India which may be maintained and organized for Imperial Service;

(*g*) Morris tubes and patent ammunition when imported by officers commanding British and Native regiments or volunteer corps, for the instruction of their men.

Proviso 1.—No duty in excess of ten per cent. *ad valorem* shall be levied upon any of the articles numbered 1 to 10 in the foregoing list when they are imported in reasonable quantity, for his own private use. by any person lawfully entitled to possess the same.

Proviso. 2—When any articles which have been otherwise imported, and upon which duty has been levied or is leviable under number 1 to 10 are purchased retail from the importer by a person lawfully entitled as aforesaid, in reasonable quantity for his own private use, the importer may apply to the Customs-Collector for a refund or remission (as the case may be) of so much of the duty thereon as is in excess of ten per cent. *ad valorem ;* and if such Collector is satisfied as to the identity of the articles, and that such importer is in other respects entitled to such refund or remission, he shall grant the same accordingly.

	Tariff valuation. *R. a.*	Rate of duty.
11. Gunpowder, all sorts . . .	*ad valorem*	10 per cent
12. All other sorts of arms, ammunition and military stores.		

NOTES

(1). 2. I am to say that it has been already decided by the Government of India that in the provisos to section 8 of the Arms Act, the word " lawfully entitled to possess " and " lawfully entitled as aforesaid " apply to persons licensed according to law to possess arms, as well as to persons exempted rom the operation of sections 13 and 14 of the Act. Applications for a remis-

sion or refund of duty under section 8 of the Act may, therefore, be made by three classes of persons viz :—

(1) persons exempted from the operations of those provisions of the law which require a license for the possession of arms,
(2) persons licensed according to law to possess arms, and
(3) importers, who have sold arms retail in reasonable quantities for their own private use to persons belonging to either of the above classes.

The provisions of section 8 of the Act limit the remission or refund of duty to the case of articles imported or purchased in reasonable quantity, for his own private use by the importer or purchaser, but the Act does not define what is to be deemed a " reasonable quantity, " and the question thus arises whether it is permissible to the Customs authorities to require the applicant to show that the arms imported or purchased on any particular occasion do not, when added to those which he may already possess, exceed what may be considered to be a reasonable quantity. On this point the Governor-General in Council concurs with the Legal Remembrancer and with the Punjab Government in the view that a remission or refund of duty must, under the terms of the law, be allowed on each particular importation or purchase, which is not excess of a reasonable quantity, for the applicant's private use, irrespective of the quantity of arms which may already be in his possession.

3. Applying the above interpretation of law to the points now referred for the orders of the Government of India, it appears to the Governor-General in Council that a remission or refund of duty if asked for under section 8 of the Act by an exempted person should, as a rule, be granted without question by the Customs authorities. In such cases the presumption would ordinarily be that the transaction is a *bona fide* one; but if the amount of the consignment in any particular instance, or the circumstances of the case generally, should be such as to render it doubtful whether the articles are imported in reasonable quantity for the private use of the applicant, the Collector of Customs or other officer empowered by the Local Government in that behalf should, under section 6 of the Act, detain the arms or ammunition until he receives the orders of the Local Government thereon. A similar procedure should be adopted in the case of applications made by persons who belong to either of the two other classes described in the preceding paragraph. As regards persons licensed to possess arms, the Customs authorities should further verify the fact that the arms imported or purchased correspond with the amount entered in the license, and should endorse on the license the amount of the consignment on account of which a remission or refund of duty is granted, referring doubtful cases for orders of the Local Government under section 6 of the Act. A register might also with advantage be kept up by the Customs authorities, showing the amount and nature of each consignment in respect of which, and the name of the person to whom or on whose behalf a remission or refund of duty may from time to time be allowed.

4. It formed no part of the objects of the Arms Act to place obstacles in way of the *bona fide* importation of arms etc., for legitimate purposes by persons lawfully entitled to possess the same; and if the above precautions are observed' it appears to the Government of India that sufficient provision will be made against the importation of arms, &c., in excessive quantities

(*Home Dept. letter No.* 61—1881-85, *dated the* 18*th November* 1881)

Appendix III.—RULES AND ORDERS RELATING TO THE REFUND OF DUTY ON ARMS, AMMUNITION AND MILITARY STORES.

2. In reply I am to state that the Governor-General in Council sanctions, in the particular case quoted in your letter, a refund of the difference between the specific and the *ad valorem* duty paid by the importer. I am, however, to observe that His Highness the Amir of Afghanistan is not "a person lawfully entitled to possess for his own private use" within the meaning of the law, the wording of which refers to possession in British India by a person in British India; and I am to add that, in future, when it may be considered politic or desirable in any particular case to allow a refund to a foreign ruler, a specific reference should be made to the Government of India in the Foreign Department.

(Finance Dept. letter No. 469, dated the 26th April 1884).

(2). 2. I am to say that the G. G. in C. has been led by the case to consider the effect of the orders now in force on the subject of refunds on arms purchased by residents in Native States, and in foreign territory lying beyond the frontier.

(3). 3. By the letter from this Department, No. 469, dated the 26th April 1884, it was held that a foreign ruler, like the Amir of Afghanistan, is not a person "lawfully entitled to possess arms for his own private use" within the meaning of the law which refers to possession in British India; and therefore the proviso in the Tariff Act, under which the difference between the specific and *ad valorem* duty may be refunded, was not applicable to the case of persons who, residing out of British India, purchase arms for their personal use from an importer or seller in British India. It was decided that when it might be considered politic or desirable in any particular case to allow a refund to a foreign ruler, a specific reference should be made to the Government of India in the Foreign Department.

4. By the letter from this Department, No. 191S. dated the 26th November 1884, it was ruled that the proviso of the Tariff Act, permitting a refund, might be applied to persons residing in Native States (in India) who would be entitled under the Arms Act to possess arms if residing in British India, and that they might accordingly be allowed a refund, although they were residing in Native States. It was decided that the concession should be given under the conditions specified in circular from the Foreign Department of the 22nd March 1884, No. 1051-I, and that it should not include arms required for military purposes This ruling was confirmed in the letter from this Department, No. 15 S. dated the 10th January 1885, which prescribed that the refunds given under it should be allowed after reference, to the Political authorities of the State concerned, and, in the case of Foreign States other than Nepal, to the Government of India in the Foreign Department.

5. I am to observe that the refund of duty on revolvers does not appear to come within the intention of the rulings mentioned, which was that the refund should be allowed only on arms for military purposes being excluded; and revolvers for policemen should properly be regarded as military weapons.

6. Apart from this case, however the G. G. in C, has come to the conclusion that the rulings of November 1884 and January 1885, mentioned in paragraph 4 of this letter, should be rescinded; and I am to request that they may be regarded as cancelled, the principle of the ruling of the 26th April 1884, No 469, referred to in paragraph 3, must be held to apply to all cases of arms purchased for the private of persons residing in Native States as well as in States beyond the Indian frontier. The procedure prescribed in that ruling should be applied in future to all such cases, no certificate being granted by Political authoritise

Appendix III.—RULES AND ORDERS RELATING TO THE REFUND OF DUTY ON ARMS, AMMUNITION AND MILITARY STORES

except in cases where, as a matter of courtesy, if it is considered expedient to allow a refund on arms (other than military arms) purchased for his own private use by the Chief or notable of the State.

(Finance and Commerce Dept letter No. 4106, dated the 26th July 1888).

(4). In continuation of the letter from this Department No. 4106 dated the 26th July last, regarding the refund of the difference between the specific and *ad valorem* duty on arms purchased for the private use of persons residing in Native States, I am directed to state that the orders therein contained do not apply to the case of European British subjects residing in Native States, and who are lawfully entitled under the Arms Act to possess arms if residing in British India.

They should be allowed a refund of duty on a certificate from Political Officers as heretofore.

(Finance Dept. letter No. 53 S. dated the 15th February 1889).

(5). I am directed to acknowledge the receipt of your letter No. 3702 of 20th May last, enquiring whether it is intended that concession granted in the letter from this Department No. 53 S. dated 15th of February 1889, regarding the refund of the difference between the specific and *ad valorem* duty on arms purchased for the private use of European British subjects residing in Native States, should apply to Eurasians or other classes referred to in clause (5) of para. I of the Home Department notification of 6th March 1879.

2. I am to say, in reply, that it is not desirable to make any difference in this respect between European British subjects and those classes who are in other respects treated in the same way under the Arms Act rules, and that the concession applies to all Europeans, Eurasians, Armenians, &c., who are natural born subjects of Her Majesty.

(Finance Dept. letter No. 3547, dated the 8th July 1889).

(6). 2. The refunds were granted by the Collector of Sea Customs, Madras, on the authority of the Political Officer of the Sandur States; but the Government of Madras are of opinion that in the case of Native Chiefs and notables of Native States, the sanction of the Government of India is necessary before a Political Officer can grant a certificate, and that, as such sanction was not obtained in the case referred to the refund was irregularly made.

3. I am to state that, though the orders as framed permit the interpretation of them which has been adopted by the Government of Madras, paragraph 6 of the letter from this Department No. 4106 of the 26th July 1888 was intended to continue the grant of certificates by the Political Officers without reference to the Government of India in cases where, as a matter of courtesy, it is considered expedient to allow a refund on arms (other than military arms) purchased for his own private use by the chief or any notable of a State. This has generally been understood by the Political Officers, who have acted on this interpretation of the orders since their issue The certificate granted in the case under reference may be held to have been properly granted by the Political Officer.

(Finance Dept. letter No. 2071 S. R. dated the 15th May 1893).

Appendix III —RULES AND ORDERS RELATING TO THE REFUND OF DUTY ON ARMS, AMMUNITION AND MILITARY STORES.

(7). In exercise of the powers conferred by section 23 of the Sea Customs Act (VIII of 1878) the G. G. in C, is pleased to exempt from customs duty all guns brought into British India from French Settlements of Pondichery, Karikal or Mahe by residents of any of those settlements being Europeans :--

Provided that the guns are covered by a pass issued under the authority of the Settlement from which they are brought, and countersigned by a British Magistrate, certifying that the holders are entitled to carry the guns for sporting purposes

Notification No. 2257, dated the 15th December 1879 issued by the Government of India, in the Home Department is hereby cancelled.

(Finance and Commerce Dept Notification No. 2001 S. dated the 12th May 1893).

(8). I am directed to acknowledge the receipt of the proceedings forwarded with your letter No 626, dated the 14th October, and to say that the Government of India agree with the Government of Madras that a refund should be made of the difference between the specific and *ad valorem* duty on arms purchased by European British subjects residing in Native States from an importer * * * also residing in a Native State.

(Finance and Commerce Dept. No 102 S. dated the 27th March 1894).

(9) 2 I am to observe that under the schedule, as amended on the 27th December last by act XVI of 1894.

first, every article that is ordinarily known as "ammunition" or "military stores" will be assessed as such, unless it is specifically mentioned in another schedule of the act, and

secondly, such other articles (if any) as the Governor-General in Council may declare to be "ammunition" or "military stores" for tariff purposes.

3 Applying these principles to the specific instances mentioned in your letter it will be evident.—

(1) that gun-wads, wire cartridges, and bullets being ordinarily known as "ammunition" are chargeable with duty under schedule II of the Tariff Act; while

(2) sulphur, lead and birdshot, being specifically mentioned in schedule IV and not having been declared to be "ammunition" or "military stores" for the purposes of the Tariff Amendment Act, are chargeable with duty at five per cent. under the appropriate heads of schedule IV

(Finance Dept letter No. 372 S.R. of the 23rd January 1895.)

(10). 2 There are no papers on the subject of which copies can be given, but existing orders may be summarised as follows :—The provisos to Schedule II of the Indian Tariff Act, 1894 (VIII of 1894), provide for a refund or remission, as the case may be of the differential duty on arms imported, or purchased retail from the importer, in reasonable quantities for his own private use "by any person lawfully entitled to possess the same."

The latter term includes persons licensed according to the law to possess arms in British India, and persons residing in British India who are exempted from the

operation of the prohibitions and directions contained in sections 13-16 of the Indian Arms Act, 1878 (XI of 1878). The same concession is extended, on the production of a certificate from the Resident at Hyderabad or other Political Officer concerned, to *(a)* natural born or naturalized subjects of Her Majesty of the classes specified in paragraph I clause (5) of the notification of the Government of India in the Home Department, No. 518, dated the 6th March 1879, when residing in Native States, *(b)* officers of Government in the Hyderabad Assigned Districts of the classes specified in paragraph I of the same Notification. and *(c)* Native Officers of Government lent to Native States who are lawfully entitled to possess arms, if residing in British India. Political Officers are further authorised to grant such certificates in cases where, as a matter of courtsey, it is expedient to allow a refund of duty on arms (other than military arms) purchased for his own private use by the Chief or the notable of a Native State.

(Foreign Dept. letter No 2965-1-A dated the 2nd November 1898).

(11). I am directed to refer to the correspondence ending with your letter No. 607-2-A-24 dated the 19th September 1898 regarding the proposal submitted by the Government of Bengal to amend proviso 2 to schedule II of the Indian Tariff Act VIII of 1894, as to allow of a refund or remission of so much of the customs duty as is in excess of 10 per cent of *ad valorem* being made to an importer in respect of arms purchased either from him direct, or through an intervening licensed vendor, by a person lawfully entitled to possess arms, in reasonable quantity, for his own private use, provided that the Collector of Customs is satisfied as to the identity of the articles entitled to such refund.

2. The Governor-General in Council having considered the opinions expressed by all local Governments and Administrations, agrees with the majority of them that the law should not be amended in the direction indicated by the Government of Bengal.

3. It has been brought to the notice in the course of the inquiry that the order of the Government of India in the Financial Dept. 102 S, dated the 27th March 1894, when applied to the provision for refund or remission to the case of arms purchased by European British subjects residing in Native State, exceeds in its terms the concession granted by the law. The proviso referred to above permits of a refund to an importer only, while the letter of the 27 March 1894, authorises a refund to an importer or seller. There was no intention of giving a greater concession in these matters than was prescribed in the proviso to the Tariff Schedule, and I am to request that the words "or seller" in the order of the Financial Department may be struck out.

(Home Dept. letter No 416-25, dated the 30th June 1899.)

(12) 2. In supersession of the orders on this subject contained in the marginally cited letters, I am to say that, in the case of a European British subject residing in a Native State, when there is no doubt as to the identify of the purchaser, a refund may be allowed without reference to the political authorities. In all other cases, however, where a refund is claimed upon arms purchased by a person residing in a Native State, who is either not a European British subject, or of whose identify there is any reason to doubt, a reference should be made, as heretofore, to the Political authorities concerned,

From the Government of India in the Finance and Commerce Department No. 53. S. dated the 15th February 1889.

2, From the Government of India in the Foreign Department No. 2965 I. A., dated the 2nd November 1898.

before the refund is sanctioned. These orders, I am to explain, must be regarded as applicable to all Native States, including the Hyderabad Assigned Districts.

(Finance and Commerce Dept. letter No. 5720 S.R. dated the 23rd November 1901).

(13). In exercise of the power conferred by section 23, of the Sea Customs Act, 1878, the G.G. in C is pleased to exempt the articles specified in the list hereto annexed from so much of the duty to which they are liable on import under head 6 or head 8, as the case may be, of the second Schedule to the Indian Tariff Act, 1894 (VIII of 1894), as amended by the Indian Tariff Act, 1894, Amendment Act, 1896 (III of 1896) as is in excess of a duty of ten per cent *ad valorem*.

LIST ABOVE REFERRED TO

Verniers or sight elevators.
Ventometers or wind guages.
Reflectors
Barrel coolers.
Sight covers.
Sliding bars for sights
Cleaning rods.
Brushes, jags, mops.
Recoil pads or heel pads.
Aim reflectors.
Barrel cleaners or pulls through.
Turn screws.
Sights for guns or rifles.

(*Commerce and Industry Dept Notification No* 3838 *S.R. dated the* 29*th June* 1903).

(14). 2. I am to say that the Government of India have now decided that all Military officers whether in military or civil employ in India should be held to be "officers of His Majesty's regular Forces" until they retire from the service, and to be entitled as such to the exemption accorded by exemption II, Schedule II of the Indian Tariff Act, 1894 I am accordingly to request that orders contained in the letter of the Government of India, No. 3129, dated the 2nd of June 1890, may be considered are cancelled.

(Commerce and Industry Dept. letter No. 8518—8522—24 of the 15th September 1908)

(15). 2. In reply I am to say that the Government of India agree with the Government of Madras that for the purpose of the refunds in question there is no reason to differentiate between the case of a European British subject residing in a Native State, and that of one residing in a foreign settlement in India. They have therefore no objection to the grant of refund of differential duty on arms imported or purchased by European British subjects resident in foreign settlements, provided that the Collector of Customs is satisfied in each case that the arm imported or purchased are in reasonable quantity and for the personal use of the importer or the purchaser

(Commerce and Industry Dept. letter No. 10389—11 dated of the 18th November 1908).

Appendix IV.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES.

No. 1458-83.

Extract from the Proceedings of the Government of India, Home Department (Public), under date, Simla the 27th September 1895.

READ—

Home Department Resolution Nos. 45—1755-70, dated the 24th September 1879.

READ also—

Home Department endorsement Nos. 26—1069-77, dated the 4th August 1893, forwarding to Local Governments and Administrations a draft General Order making certain additions to the rules relating to the grant of shooting passes to British soldiers which were circulated with Home Department letter Nos. 1469-78, dated the 16th May 1892.

RESOLUTION.

In the Resolution read in the preamble, Local Governments and Administrations were requested to instruct district officers to take every opportunity of warning Englishmen and others against entering on standing crops for sporting purposes unless they first obtained the permission of the owners to do so. The Government of India have recently had brought to their notice a case in which a European, while out shooting, caused the death of two natives—in an affray arising out of the fact that he shot peafowl in the vicinity of a village. The rules issued by the Military authorities for regulating the grant of shooting passes to British soldiers provide all the safeguards that are practicable to prevent affrays between soldiers and villagers; but there are at present no orders ensuring that such warnings shall be given as may, so far as is possible, duly direct and regulate the conduct of sportsmen other than soldiers. The Governor-General in Council accordingly desires that instructions should be issued by Local Governments and Administrations to district officers to warn sportsmen, whether Europeans or others (1) against trespassing on standing crops without the consent of the owners (2) against shooting peafowl, or other birds or animals which are looked upon as sacred, in the vicinity of villages or habitations (3) against shooting domestic animals, such as dogs or pigs and (4) generally against shooting in the immediate vicinity of villages, temples and mosques.

Appendix IV.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES.

I AM directed to forward a copy of the revised rules for the grant of shooting passes to British soldiers in India which have been approved by the Governor-General in Council and published in the *Gazette of India* of the 27th October last, and to request that the special attention of the local civil officers concerned in the administration of the rules may be drawn to them.

2. These rules are drawn up chiefly for the guidance of the Military authorities, but their successful working cannot be insured without the co-operation of the civil officers. The Governor General in Council therefore considers it necessary that the duties of the latter class of officers respecting this matter should be clearly laid down.

3. In rule 4 of the revised rules it has been provided that the Commanding Officer of a Regiment or Detachment is at once to send to the District Magistrate the substance of any report (together with a copy of the complaint, if any) that may be made by the member of a shooting party who is in charge of the party, on their return to quarters, respecting any breach of the rules, any affray with natives, or any mishap which may have occurred during the absence of the party. The Government of India consider it necessary that the District Officer also should communicate to the Commanding Officer immediate information of any breach of the rules by men under his command that may be reported to the Civil authorities Cases have come to the notice of the Governor-General in Council in which the Civil authorities have omitted to make a report upon such occurrances to the Officer Commanding the Regiment, who remained in ignorance of the affair until a report was called for from Army Head-Quarters, or by the Government of India, or until the police inquiry had been completed. I am to request that, to enable the Commanding Officer of a Regiment or Detachment to take suitable notice of any infringement of the shooting pass rules, orders may be issued which will insure due information being communicated by the District Officer to the local Military authorities in cases which may come to his notice.

4. Rules 25 of the revised rules lays down that Officers Commanding Stations and Officers Commanding Troops about to march will communicate with the Civil District Officer in order to ascertain (*a*) in what localities shooting ought to be forbidden, and (*b*) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season. There is, however, more continuity in the Civil District Offices, where the establishments, if not the officers, are to a great extent permanent, than in Military Cantonments. With a view, therefore, to guarding against the provisions of the rule being overlooked, I am to request that instructions may be issued to Commissioners and District Officers to the effect that, on the arrival of a corps or detachment

in a civil district, the District Officer shall at once certify to the Officer Commanding the corps or detachment what localities, animals and birds are forbidden for shooting purposes, either absolutely on account of the prejudices of the inhabitants, or for parts of the year in accordance with rules for close seasons. In defining tracts of country where shooting is to be allowed, the local officers should be directed to bear in mind the orders contained in Home Department Circular latter No. $\frac{30}{1012-1028}$, dated the 31st July 1883, and to take care that no tracts are included where owing to the religious prejudices of the people, the agricultural circumstances of the district, or other sufficient causes. there would be risk of danger if free permission to shoot were accorded.

No. $\frac{18}{1230-1239}$ dated the 31st July 1891.

5. In the circular of the 31st July 1883 referred to above, and in that of 1891 marginally noted, Local Governments and Administrations were requested to instruct the District authorities to cause the shooting pass, rules to be explained to villagers in the neighbourhood of cantonments, and to warn such villagers against interfering with soldiers out shooting and using violence to them, and also against taking the law into their own hands in cases in which soldiers infringe the rules. The Governor-General in Council now directs that the substance of the revised rules, so far as they affect the villagers should be periodically notified in simple language in the villages and tracts where soldiers are in the habit of shooting and that District Officers should impress upon landlords, headmen and village police that they are expected to give their assistance in avoiding disputes with soldiers out shooting. The headmen and village police must see that soldiers conducting themselves properly are not molested, and that any complaints of misconduct are reported to the proper authorities. In cases in which notice of the probable advent of a shooting party has been sent to the District Officer under rule 26 of the revised rules, he should with as little delay as possible, send intimation to the headmen and village police (so far as this can be done) stating that a shooting pass has been issued and that they are to see that quarrels are avoided. Villagers should on no account take the law into their own hands, but should lodge any complaint they have to make in a legal manner.

6. In the circular from this Department, No, $\frac{50}{2348-2358}$, dated the 14th October 1887, the importance of conducting prompt investigation into cases of affrays between European soldiers and native villagers was inculcated; and it was desired that, on the occurrence of a serious affray, the District Magistrate should invariably either himself proceed to the place or at once depute an European Magistrate or the District Superintendent of Police in order to investigate the matter on the spot at the earliest possible time after the occurrence. I am now to request that instructions may be issued that the investigation of a case between natives and soldiers arising out of a shooting dispute should, whenever possible, be entrusted to an English Magistrate or Police Officer not lower in rank than Assistant

Superintendent, and that when such cases come into Court they should be tried by the District or Joint Magistrate. In cases which are not cognizable by the police. or where the prosecution is not undertaken by the Civil authorities, the Civil District Officer shall inform the Commanding Officer of the Corps or Detachment concerned to that effect for such action as the latter may consider fit to take.

7. In conclusion, I am to say that the Government of India think it desirable that each Commissioner, District and Sub-Divisional Magistrate should be furnished with a copy of the revised rules as a separate publication.

Home Dept. Cir. letter No. 3477, dated the 31st December 1900.

Extracts from the Army Regulation.

90. The following rules will be observed, and apply to troops under all circumstances.

91. No soldiers shall carry firearms for sporting purposes without a pass. Only warrant officers and others with at least one good conduct badge are eligible for passes.

92. Each pass will be granted to a party of three, of whom one will be in charge. They must be accompanied by a native qualified to act as interpreter whose name will be entered on the pass. The party shall not separate while shooting. Soldiers not below the rank of sergeant belonging to sapper and miner corps, the submarine mining corps, the permanent staff of mounted infantry schools and, during the winter months only, the permanent staff of sanitaria, may be granted passes to shoot alone, provided the officer issuing the pass is satisfied that their knowledge of the language is sufficient to enable them to make themselves understood by the natives.

93. The member in charge of the party shall carry the pass, and produce it when reasonably required, to do so. Immediately on return he shall give it to his orderly sergeant reporting any breach of these rules, affray with natives, or mishap. The orderly sergeant shall at once report any occurrence to the O. C. the corps who will forthwith inform the O. C. the station and district magistrate.

94. If a member of a party commits an act resulting in an injury to person or property, or is involved in an affray with natives, the party shall return to their quarters without delay, reporting when practicable to the nearest civil authority.

95. With the exception of game coolies, only those named in the pass shall accompany the party.

Appendix IV.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES.

96. Arms shall not be loaded in the vicinity of quarters, and shall be unloaded as soon as the party leaves off shooting

97. Shooting with bullets is forbidden except where unattended with danger. Shooting at night is forbidden except in forests.

98. No member of a shooting party shall address a native woman.

99. No member of a shooting party shall shoot within 500 yards of or enter, any village, building, or enclosure. The interpreter will obtain supplies required from a village.

100. No shooting shall take place at any animal, or bird, or in any locality, included in the prohibited list on the pass.

101. Shooting at peafowl is prohibited unless by permission endorsed on the pass. No shooting at hinds, does, monkeys, or doge is allowed.

102. Members of parties are forbidden to trespass on or to shoot over crops.

103. No firearms shall be used except those specified on the pass No rifle or carbine shall be used which carries Government ammunition or is under ·450 bore, or is sighted for over 150 yards. All bullets shall be hollow.

104. A private who is ineligible, for a pass shall not possess a sporting firearm.

105 All firearms and ammunition for sporting purposes shall be kept in the store room under the care of the sergeant in charge who alone may issue arms on the production of a pass. On return of a party from shooting, their firearms and ammunition will be handed over to the sergeant, who will acknowledge their receipt on the pass.

106 All sporting firearms shall be shown on the daily state of the corps as "present," "on pass." or "absent".

107. Passes will be issued by the O. C. the corps, or detachment, to which the men belong A pass must be on I. A. F. L 1181 and be completely filled in. A record will be kept of all passes issued.

108. When an extended shooting pass (in the case of regimental warrant officers and soldiers with two or more good conduct badges, for not more than 14 days and in the case of others, 7 days) is granted to enable men to shoot at a distance from their own station, the following procedure will be observed :—

(i) A furlough pass to the military station nearest to the locality concerned will be issued, on which the O C. the corps will state in red ink that the soldiers are eligible for a shooting pass

Appendix IV.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES.

(*ii*) A shooting pass will also be issued, the name of the interpreter, date of the pass, list of prohibited localities, animals and birds, and the countersignature of the O C. being omitted. The production of the endorsed furlough pass and the shooting pass will be the authority to the sergeant in charge to issue arms and ammunition.

(*iii*) The party on arrival at the station concerned will report themselves to the staff officer

(*iv*) The O. C. the corps to which they are then attached is responsible for the countersignature and completion of the shooting pass. He will also address the civil authorities as required by rule.

(*v*) The members of the party may keep their firearms in their own possession only for so long as the shooting pass is valid. When that period expires they must be at once lodged in the store-room.

109. The O. C. the station will ascertain the prohibited animals, birds, and localities, from the civil (in the case of a native state, the political) officer concerned. Shooting in a government reserved forest is forbidden without a permit from the forest officer.

The O. C. a corps under orders to march will take similar steps with regard to the district to be passed through. When on the march through a native state, no shooting is allowed beyond ten miles from the camp.

110. The O. C. will notify to the civil (or political) authority concerned, the grant of any pass extending over 3 days. This notice will be despatched usually more, but not less, than 3 days before the pass takes effect, and shall state the names and ranks of the party, the localities to be visited, and the dates for which the pass is valid.

111. When any serious breach of these rules takes place the O. C. the station will at once telegraph the occurrence (see para. 150). Detailed reports will follow by post.

112. Any soldier shooting without a pass shall be tried by court-martial, and on conviction be deprived of the privilege of shooting during the remainder of his Indian service A member of a shooting party who commits any breach of these rules resulting in material damage to person or property, shall be tried by court-martial. Other breaches of these rules shall be reported to the Bde. Comdr.

113 The officer of J. A. G.'s department concerned shall, when necessary for a court-martial arises, frame the charge and prepare the

Appendix IV.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES.

brief for the prosecution: the proceedings shall be submitted through him to the confirming officer. The proceedings of any civil investigation for should accompany the application for trial. The C-in-C and the G. of I will be informed of the result of all courts-martial.

114 If any act of a member of a shooting party results in an affray with natives or in material injury to person or property, and the offender cannot be identified, all passes may at the discretion of the L. G. C, be prohibited in the corps or district for a period not exceeding two years. Every prohibition shall be published in C. O. and reported to the C-in-C and the G. of I.

115. Shooting passes will be granted to soldiers of departments by the O C the department in accordance with these rules, except that a soldier may be granted a pass to shoot alone if his O. C. is satisfied that his knowledge of the language is sufficient. A standing pass up to six months may be granted to a subordinate of the M. W. S. not employed in a cantonment.

116. A copy of these rules, and of the list of prohibited localities animals, and birds, shall be hung conspicuously in every barrack room A copy of paras. 103 to 186 shall be hung in every squadron, battery and company store-room

117. In April and October of each year paras 99 to 106, and 112 and 115, shall be read on parade to all British troops.

118. No shooting passes shall be given to troops disembarking in India until, after their arrival at their destination, the rules referred to in para 117 have been read to them on parade. An officer who has not passed the L. S Urdu will not be permitted to go out shooting unless accompanied by an efficient interpreter. The O. C. any party of troops shall have his attention directed to this order before disembarking.

119. The following are the orders of the G. of I, to the civil and political authorities in connection with the above rules :—

(*i*) The rules will be periodically notified to the inhabitants of local ities in which soldiers are in the habit of shooting.

(*ii*) When a complaint is made by a village against members of a shooting party, the district or political officer will at once report the matter to the O. C. the man concerned.

(*iii*) The district or political officer will, on arrival of troops in a civil district or native state at once inform the O. C. of the prohibited localities, animals, and birds.

Appendix IV.—RULES AND ORDERS REGARDING THE GRANT OF SHOOTING PASSES.

(*iv*) The district or political officer will impress on zemindars, headmen, and police that they must use their endeavours o prevent disputes with, or the molestation of, members of a shooting pa ty, and that complaints are to be reported to the proper authorities by the villagers, who must not take the law into their own hands.

(*v*) When the district or political officer receives notice, under para. 110, of the probable visit of a shooting party, he will at once inform the headmen and village police.

(*vi*) Disputes between members of a shooting party and villages will, if possible, be investigated by a European magistrate or police officer not below the rank of superintendent, and such cases will be tried by a district or joint magistrate. The O. C. concerned will be informed by the district officer of cases not cognisable by the police, or where prosecution is not undertaken by the civil authorities.

3846